



FedEx Regulatory Alerts & Updates

RegAlert: Update - TSCA Import Certification Import Process Changes

FedEx Express Global Trade Services department (GTS) in collaboration with FedEx Trade Networks (FTN) Express Clearance operations are implementing updated import handling procedures for U.S. import shipments requiring Toxic Substance Control Act (TSCA) certification for U.S. import clearance.

U.S. Importers are encouraged to implement the new procedures immediately to reduce clearance delays caused by the January 2017 rule change indicating that blanket TSCA statements are no longer accepted.

New FTN procedural options to expedite TSCA clearance and avoid delays

1. **Import shipper - The U.S. import shipper (importer) supplies certification(s)**
 - a. File a 'product specific' TSCA certification with FedEx Trade Networks.
Example: Shippers importing the same single-chemical commodity in a single shipment on a regular basis.
 - b. File a 'multiple products' TSCA certification with FedEx Trade Networks.
Example: Shippers importing repeat shipments that contain the same multiple-chemical commodities on a regular basis. The statement (positive or negative) must apply to all commodities on the certification document.

Access the TSCA Certification forms packet at fedex.com/gtm/pdf/USS002.pdf
Send the completed certifications as an email attachment to cpg@ftn.fedex.com

2. **Foreign exporter/shipper - The foreign exporter, as authorized by the U.S. importer, provides the TSCA certification(s) and required ACE filing data elements: Name, phone number, and email address.**
 1. The U.S. importer sends an email or document authorizing the exporter to act as their agent, on their behalf, for the purpose of preparing the TSCA certification(s).
Example authorization: "ABC Importer is authorizing XYZ Chemical manufacturer to act as our agent for the purpose of preparing TSCA certification statements".
 2. Authorized foreign exporter prepares the applicable certification form (see above options 1-a or 1-b)

Commonly asked questions

1. Can this authorization be included with an actual shipment?

Yes, it is a best practice to have the foreign exporter include a copy of the import shippers' authorization with the shipment IAWB and CI for each shipment to ensure receipt.

2. Who at FTN should be notified about the decision to implement choice 1 or 2?

Send an email to the FTN Customer Profile Guide (CPG) team and proactively notify them of the selected process option. Include any currently delayed TSCA shipment details for quick resolution to enable the release.

3. How should the documents for TSCA chemical imports to the U.S. be prepared to insure better clearance?

Placing all the required, clearly identified TSCA certification (positive or negative) and data elements (TSCA importer name, phone number, email) in a set place on the commercial invoice is a best practice that enables a timely release. Also indicate if a TSCA product specific certification is on file.

Timeline for Implementation: Immediate

References

TSCA Import Certification Process Final Rule – <https://www.gpo.gov/fdsys/pkg/FR-2016-12-27/pdf/2016-31055.pdf>