
❖ SPC&B Update ❖

A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

October 4, 2012

CBP To Allow Importers With Successful Focused Assessments to Join ISA Automatically



In a notice that will be published in tomorrow's Federal Register, Customs & Border Protection (CBP) will announce that companies that have successfully undergone a CBP Focused Assessment (FA) audit will be eligible to participate in the Importer Self Assessment (ISA) program without the traditional ISA review, provided the final audit report was issued within 12 months of the date of the ISA application. The only other requirements are:

1. The company must be a U.S. or Canadian resident importer;
2. It must be a member of Customs-Trade Partnership Against Terrorism (C-TPAT) or obtains membership under a special expedited review created for this purpose;
3. Development of a risk-based self-testing plan; and
4. The company agrees to meet all ISA program requirements, including annual reporting, etc.

Among the limitations to this new benefit are the fact that the company must have obtained a "clean bill of health" from the CBP auditors during the FA and the ISA application must be made within 12 months of the FA report. It is therefore unlikely that there are a significant number of companies eligible to participate in ISA under these circumstances; however, if you are interested in exploring ISA or have any questions on CBP audits, please contact Gail Cumins at gcumins@spcblaw.com or Donna Shira at dshira@spcblaw.com or call us at 212-425-0055.

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