



# Customs Clearance Guide

## For Shipments to the United States

October 2024

This document provides basic customs clearance information in order to prevent customs delays of the exporting shipments from Vietnam to the United States. These guidelines are prepared for the sole purpose of providing information to customers for use as a reference.

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## CUSTOMS CLEARANCE GUIDE FOR SHIPMENT TO US

### SHIPPING DOCUMENTS

All documents must be completed in English.

### GENERAL REQUIREMENTS

The following fields of the Air Waybill are of particular interest to customs officials.

- **Description of goods:** A specific description is required:
  1. What is it?
  2. What is it made of?
  3. What is the product's intended use or how will it be used?
  4. Reason for import (research, sale, gift, repair, exhibit, etc.)
    - **Value for Customs:** The commercial value of the shipment.
    - **Country of Manufacture:** The country of origin of goods / The country where the goods were manufactured. Manufacturer's name and address is mandatory on commercial invoice for all FDA related commodities.
    - **Tax identification numbers (EIN/SSN):** For shipments valued over 2,500 USD or those with restricted commodities, the IRS Employer Identification Number (EIN) or Social Security Number (SSN) of the U.S. recipient is required.

### ACAS VAGUE COMMODITY DESCRIPTION REJECTION

The U.S. Customs and Border Protection (CBP) had announced that it will begin rejecting data containing vague descriptions in Air Cargo Advanced Screening (ACAS) effective from November 12, 2024. This is applied to all shipments arriving in or transiting through the U.S.

A precise cargo description is a description of an item that is clear and concise. The description should be in plain language and detailed enough to allow U.S. CBP to identify the size, shape and characteristics of the commodity. Only the cargo description should be included in this field of the transmission. Superfluous information, not relevant to the commodity description e.g., personally identifiable information (PII), type of packaging, carrier disclaimers, etc., should not be transmitted in the commodity description field.

While CBP is referencing a specific regulatory requirement for U.S. imports, CBP has also provided a non-exhaustive list of more than 100 comparisons of poor descriptions and precise descriptions to help illustrate to the trade how to create a precise cargo description. Those examples can be found on the CBP e-commerce landing page:

<https://www.cbp.gov/trade/basic-import-export/e-commerce/examples-unacceptable-vs-acceptable-cargo-descriptions>

### COMMERCIAL INVOICE

Required for all shipments over 800 USD to prevent delays. For commodities needing Partner Government Agency clearance, a Commercial Invoice is always required, and a pro forma invoice may be acceptable if goods are not sold.

### IMPORTER OF RECORD (IOR)

FedEx's customs broker may refuse to act as IOR for certain shipments, requiring the customer or consignee to assume this role, especially for high-value shipments or those subject to anti-dumping and countervailing duties.

#### BROKER SELECT OPTION (BSO)

Shipments containing Wildlife Products must be addressed to a Broker at a designated U.S. Fish and Wildlife port.

#### WOOD PACKING MATERIAL (WPM)

WPM over 0.24 inches must be heat-treated or fumigated and branded per ISPM-15. WPM from Canadian or U.S. wood is exempt when traded between these countries.

#### MERCHANDISE PROCESSING FEE (MPF)

Applied to formal entries (over 2,500 USD), calculated at 0.3464% of the entered value, with minimum and maximum charges of 29.66 USD and 575.35 USD, respectively.

#### ALCOHOL SHIPMENTS

Only allowed if both shipper and recipient are licensed and comply with all regulations. Shipments to unlicensed individuals are prohibited.

#### U.S. GOODS RETURNED (USGR)

Requires accurate completion of declarations and the Commercial Invoice must state the U.S. as the country of manufacture. Other documentation may be needed for duty-free entry.

## REQUIRED DOCUMENTS FOR SHIPMENT TO US

### 1. AWB ONLY

- Airline Ticket Issue, Checks (Business/Travelers), Documents

#### CHECKS (TRAVELERS)

Limited to non-negotiable instruments.

### 2. AWB + CI (1 ORIGINAL - 2 COPIES)

**The list of items that do not require additional details when shipping:** Artwork (commercial), Blueprints, Books, Business cards, Camera, Compact discs, Credit cards, Drawings, Magazines, Manuals, Newspaper, Machine parts, Photographs, Slides, Software, Sport equipment, Audio tapes, Video tapes, etc.

#### LEATHER GOODS

Commercial Invoice required for all leather goods valued over 250 USD, except handbags and luggage which require a Commercial Invoice if valued over 5 USD. Additionally, leather footwear requires an Interim Footwear Invoice of consignee. For leather wearing apparel check requirements listed under "Textiles".

Fish and Wildlife clearance may be required if product originates from wildlife or contains wildlife parts.

#### TEXTILES

Textile and Apparel items must include the name and address of the manufacturer, kind of material and composition (100% cotton), knit or woven, gender, measurements (length and width of fabric). If sample, the Air Waybill and Commercial Invoice must state if marked or mutilated. If mutilated, H.S. 9811.00.60 must also be stated on the invoice. The manufacturer identification (MID) is required for textiles valued above the 800 USD.

Fish and Wildlife clearance may be required if product originates from wildlife or contains wildlife parts.

#### FOOD, NONPERISHABLE

The U.S. Food and Drug Administration (FDA) requires advance Prior Notice (PN) for all imported food intended for human or animal consumption, including alcohol and liquor. FedEx enforces a "No PN, No Pickup" policy for these shipments.

Meat and dairy products must comply with US Department of Agriculture regulations.

Other food items, such as coffee, tea, and sugar, are subject to FDA regulations.

Fish and wildlife products may require additional clearance if they originate from wildlife or contain wildlife parts.

#### LIQUOR, NON-HAZ

The consignee must have a "Basic Permit for Importer and/or Wholesaler" from the US Department of the Treasury - Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Certain alcoholic beverages require a Certificate of Origin from the shipper.

Imports must comply with ATF "Alcoholic Beverage Labeling" requirements and FDA regulations.

FedEx requires both the importer and exporter to be licensed entities and has a policy of "No PN, No Pickup" for alcohol and liquor shipments.

Gift shipments of alcohol are also subject to these regulations.

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#### APPLIANCES, PARTS (COMPUTER/ELECTRONIC), WIRELESS EQUIPMENT, MUSICAL INSTRUMENTS

Products that emit radiation require a US Food and Drug Certification on FDA Form 2877, required of shipper/importer/consignee.

Fish and Wildlife clearance may be required if product originates from wildlife or contains wildlife parts.

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#### ARTWORK, FINE

Work of Art Declaration, including name of Artist, required.

Fish and Wildlife clearance may be required if product originates from wildlife or contains wildlife parts.

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#### BIO PRODUCTS, NON HAZ

Human-derived products are regulated by the US Food and Drug Administration (FDA).

Animal-derived products are regulated by the US Department of Agriculture (USDA).

Poultry products from regions with H5N1 Avian Influenza require an Import Permit from the USDA. Contact CDC or USDA for permit verification.

Fish and Wildlife clearance may be needed for wildlife-origin products or those containing wildlife parts.

For blood, body fluids, and serum, the Waybill must include import reason, material origin, and infection status. Infectious shipments require a CDC label or a Permit copy.

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#### CHEMICALS, NON-HAZ

Specific chemicals or mixtures of chemicals are subject to Toxic Substances Control Act certification. The consignee/importer is responsible for the information.

Pesticides and Pesticide Device shipments require the U.S. Environmental Protection Agency (EPA) Notice of Arrival of Pesticides and Devices Form 3540-1 to be completed by the importer.

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#### COSMETICS, NON-HAZ

Subject to US Food and Drug Administration compliance.

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#### DIGITAL VIDEO DISC, FILM (COMMERCIAL)

Must provide a statement indicating that the film/video/DVD contains no obscene or immoral matter, nor any matter advocating or urging treason or insurrection against the US or forcible

resistance to any law of the US nor any threat to take the life or inflict bodily harm upon any person in the US. Must also contain a brief synopsis indicating length, duration, width, contents and reason for importation.

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## DRUGS PRESCRIPTION

FDA Compliance: Prescription drugs must adhere to US Food and Drug Administration (FDA) regulations.

Return Policy: Prescription drugs made in the US can only be returned to the original US manufacturer.

Personal Importation: Importing prescription drugs for personal use is generally prohibited unless FDA approved.

Limited Importation: Under specific circumstances, a small quantity of prescription drugs for personal use may be imported. Required documentation includes:

- a. A valid, written doctor's prescription.
- b. Name, address, and phone number of the licensed treating physician.
- c. Name and address of the drug manufacturer.
- d. Form of medicine (tablets, capsules, liquid, etc.).
- e. Quantity and type of packaging.
- f. Medical condition being treated.
- g. Availability of the medication in the destination.
- h. Dosage and strength.
- i. A copy of the patient's passport is recommended.

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## MEDICAL

Subject to US Food and Drug Administration compliance.

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## OFFICE SUPPLIES

Pens containing ink require a Toxic Substance Control Act Certification (TSCA) form with the shipment. The form can be found at [www.fedex.com](http://www.fedex.com), International Tools/International Resource Center/Library/ Document Library.

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## AIRCRAFT PARTS

If duty free entry is sought under the "Civil Aircraft Parts" provision, a Blanket Civil Aircraft Declaration (letter format) must be filed with US Customs by the consignee at the customs office where the shipment will receive customs clearance.

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## PERSONAL EFFECTS

Subject to Duty/Tax.

A completed Customs Form 3299 Declaration for Free Entry of Unaccompanied Articles may accompany the shipment. All shipment documentation must indicate articles Personal Effects.

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## TOYS

All Children's products including toys designed for children 12 years and younger must comply with regulations set by the Consumer Product Safety Commission (CPSC) and the Consumer Product Safety Improvement Act (CPSIA).