



**PORT OF SAN FRANCISCO  
INFORMATION NOTICE**

Distribution: Brokers, Trade Community

Number: 728-14-11

Issue Date: July 15, 2014

Contact Point: SCBPO Wendell Roberts (510) 273-4336 x140

Supersedes: Not Applicable

Expires: When Superseded

---

**SUBJECT:** Importer Security Filing (ISF) Enforcement Procedures Update

**PURPOSE:**

The purpose of this Public Bulletin is to notify the Area Port of San Francisco importing community that administrative enforcement action will be initiated to correct non-compliance Importer Security Filing cases where the violation of law does not rise to the level of a civil or criminal prosecution by the U.S. Government.

**BACKGROUND:**

The Interim Final Ruling (IFR) was officially published in the Federal Register with an effective date of January 26, 2009. The IFR included a 1-year delayed enforcement (informed compliance) period which concluded on January 25, 2010.

As previously posted on the CBP website on June 7, 2013, U.S. Customs and Border Protection (CBP) have completed preparations to begin the next phase of the Importer Security Filing (ISF) enforcement process. The ISF rules require importers and vessel-operating carriers to provide additional advance trade data on cargo shipments to CBP 24-hours prior to vessel lading, pursuant to Section 203 of the Security and Accountability for Every Port (SAFE Port Act) of 2006.

On July 15, 2013, CBP in the Area Port of San Francisco started making use of the newly activated cargo holds in the Automated Cargo Environment (ACE) system to address non-compliance with the ISF rule. CBP held all non-compliant ISF shipments at the terminal until the required ISF was filed; however the initiative has been modified to focus on serious violators only.

**ACTION:**

Effective June 30, 2014, the Area Port of San Francisco will focus ISF-10 enforcement efforts toward importers whose shipments routinely arrive without an associated ISF. CBP will be initiating an approach to ISF enforcement that allows for three warnings to an importer before issuing a liquidated damage claim. For repeat offenders, liquidated damages claims will be requested for significantly late ISF submissions (i.e., 10 days after departure, 48 hours prior to arrival, after arrival, etc.). The enforcement action will be initiated within 30 days of the violation. In order to mitigate the number of held shipments the port will have to accommodate 2O holds (ISF Hold- No ISF on File) will be placed on violating shipments immediately after departure which provides violators more time to take corrective action prior to arrival. When using the 2O holds or the 2P hold codes (ISF Hold- ISF Compliance Issue), ports will also use the 1X hold (Transfer for Exam) and/or the 7H hold (NII Exam Ordered) codes if an NII exam is deemed necessary.

A handwritten signature in black ink, appearing to read "Ricardo A. Scheller".

Ricardo A. Scheller  
Area Port Director  
San Francisco