



U.S. Customs and
Border Protection

JAN 25 2012

APP-6 OT: TPP: TFA: ESD-LBD

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS

FROM: Executive Director, Trade Policy and Programs
Office of International Trade

SUBJECT: GUIDANCE: Implementation of the 2012 Harmonized Tariff
Schedule of the United States

PLEASE PASS THIS INFORMATION TO PORT DIRECTORS, ASSISTANT PORT DIRECTORS (TRADE), IMPORT SPECIALISTS, ENTRY SPECIALISTS, CBP OFFICERS, IMPORTERS, BROKERS, CARRIERS, AND ANY OTHER INTERESTED PARTIES.

The purpose of this memorandum is to inform Customs and Border Protection (CBP) Field Offices and all interested parties of the 2012 Harmonized Tariff Schedule of the United States (HTSUS) implementation. The World Customs Organization (WCO) amends the Harmonized System, at the six-digit level, every four to six years. Following legislation passed on December 29, 2011, the Presidential proclamation was published in the Federal Register on January 4, 2012 to implement the WCO HTSUS changes. The 2012 HTSUS amendments will go into effect on February 3, 2012. The USITC has posted a preliminary draft of the 2012 HTS on its Web site at http://www.usitc.gov/tariff_affairs/modifications_hts.htm.

CBP systems will be updated to accept the new 2012 HTS with the WCO amendments. For entry summary transmission purposes, only the tariff numbers in effect on the date of transmission will be valid. The WCO HTSUS changes will be effective February 3, 2012 and the 2011 HTSUS numbers will not be available after February 2, 2012.

With respect to goods imported under a free trade agreement (FTA) or trade promotion agreement (TPA) whose tariff numbers have changed, the following should be kept in mind:

- Manufacturers, exporters and importers are advised that the 2011 tariff change rules (TCRs) govern the TCR analysis until revised TCRs corresponding to the applicable FTA or TPA are published.

- Until revised TCRs are published, the certificate of origin (CO) should indicate both the previously and newly-effective tariff numbers, followed by the corresponding “(2011 HTSUS)” or “(2012 HTSUS)”.

Questions regarding this policy should be addressed to Ms. Laurie Dempsey, Branch Chief, Entry, Summary, and Drawback at (202) 863-6509.



for Brenda Smith

cc: Office of Field Operations, Trade Operations Division