

2021

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# ACE: Receiving and Responding to CBP Forms

The ACE Secure Data Portal allows authorized users to receive and respond to three commonly used U.S. Customs and Border Protection (CBP) forms:

- CBP Form 28: Request for Information
- CBP Form 29: Notice of Action
- CBP Form 4647: Notice to Mark/Notice to Re-Deliver

## 19 CFR § 151.11 Request for samples or additional examination packages after release of merchandise.

If an authorized CBP official requires samples or additional examination packages of merchandise which has been released from CBP custody, an authorized CBP official will send the importer a written request, on Customs Form 28, or its electronic equivalent, Request for Information, or other appropriate form, to submit the necessary samples or packages. If the request is not promptly complied with, an authorized CBP official may make a demand under the bond for the return of the necessary merchandise to CBP custody in accordance with § 141.113 of this chapter....



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### Introduction

The ACE Secure Data Portal allows authorized users to receive and respond to three commonly used U.S. Customs and Border Protection (CBP) forms:

- CBP Form 28: Request for Information
- CBP Form 29: Notice of Action
- CBP Form 4647: Notice to Mark/Notice to Re-Deliver

In order to utilize this functionality, trade users must set the "Mode of Communication" and be given access to "Forms." "Mode of Communication" only applies to how the trade receives and responds to CBP forms. The modes of communication are "Mail" and "Portal." Unless a "Mode of Communication" is selected, the default communication regarding CBP forms will be U.S. Postal Service mail.



*Accounts electing to receive copies of forms through the ACE Portal are not required to respond through the ACE Portal. Responses may be submitted to CBP through the ACE Portal or submitted to CBP at the port of entry where the entry summary is filed.*

The Trade Account Owner (TAO) must grant access to the "Mode of Communication" link to any Proxy Trade Account Owner (PTAO) and Trade User who needs access. Once the mode of communication has been set and the proper authority has been granted for "Forms," the trade user will be able to receive, view, search and respond to CBP Forms 28, 29 and 4647. The trade user will also be able to respond to a post summary request for additional documents.



# When You Get a CBP 28

Call CBP and talk to the Import Specialist about what might have triggered the inquiry. It is probably focused on value, tariff classification, antidumping duties, or country of origin of the imported product, or needed documentary support for a claimed free trade agreement program.

Ask for more time to respond.



May 24, 2011

Memorandum for: Directors, Field Operations  
From: Executive Director, Trade Policy and Programs Office of International Trade  
Subject: Guidance: CBP Forms 28 and 29 Language

The purpose of this memorandum is to remind ports of U.S. Customs and Border Protection's (CBP) policy concerning the appropriate issuance of CBP Form 28, Request for Information and CBP Form 29, Notice of Action.

CBP should avoid using language on these forms such as "failure to provide information could lead to penalties under 19 USC 1592..." or "this office is investigating the classification of ..." if in fact an investigation is not already in process. Such language defeats the goals of informed compliance and may dissuade importers from filing valid prior disclosures.

Signed by Therese Randazzo for:  
Brenda B. Smith



DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection  
**REQUEST FOR INFORMATION**  
19 CFR 151.11

OMB APPROVAL NO. 1651-0023  
EXPIRATION DATE: 09-30-2019  
ESTIMATED BURDEN:

GENERAL INFORMATION AND INSTRUCTIONS

1. Date of Request (mm-dd-yyyy)		2. Date of Entry and Importation (mm-dd-yyyy)	
3. Manufacturer/Seller/Shipper		4. Carrier	
5a. Invoice Description of Merchandise		5. Entry No.	
5b. Invoice No.		6. HTSUS Item No.	
7. Country of Origin/Exportation		8. CBP Broker and Reference or File No.	
9. TO:		10. FROM:	
Production of Documents and/or Information Required by Law: If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.		11a. Port	11b. Date Information Furnished (mm-dd-yyyy)
General Information and Instructions			
12. Please Answer Indicated Question(s)		13. Please Furnish Indicated Item(s)	
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.		<input type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.	
<input type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as:		<input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.	
<input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees		<input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article. <input type="checkbox"/> D. Submit samples: Article number: _____ Article description: _____ Number from container: _____ Mark(s) and number: _____ Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.	
<input type="checkbox"/> E. See item 14 below.			
14. CBP Officer Message			
15. Reply Message (Use additional sheets if more space is needed.)			
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.)			
I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.		16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)	
		16b. Signature	
		16c. Telephone No.	16d. Date (mm-dd-yyyy)
17. CBP Official		18. Team Designation	19. Telephone No.
20. Fax No.		21. Email	

CBP Form 28 (07/18)

- The requested information is necessary for proper classification and/or appraisal of your merchandise and/or for insuring import compliance of such merchandise. Your reply is required in accordance with section 509(a), Tariff Act of 1930, as amended (19 U.S.C. 1509).
- All information, documents, and samples requested must relate to the shipment of merchandise described on the front of this form.
- Please answer all indicated questions to the best of your knowledge.
- All information submitted will be treated confidentially.
- If a reply cannot be made within 30 days from the date of this request or if you wish to discuss any of the questions designated for your reply, please contact the CBP officer whose name appears on the front of this form.
- Return a copy of this form with your reply.

**DEFINITIONS OF KEY WORDS IN BLOCK 12**

Question A: RELATED - The persons specified below shall be treated as persons who are related:

- Members of the same family, including brothers and sisters (whether by whole or half blood), spouse, ancestors, and lineal descendants.
- Any officer or director of an organization and such organization.
- An officer or director of an organization and an officer or director of another organization, if each such individual is also an officer or director in the other organization.
- Partners.
- Employer and employee.
- Any person directly or indirectly owning, controlling, or holding with power to vote, 5 percent or more of the outstanding voting stock or shares of any organization and such organization.
- Two or more persons directly or indirectly controlling, controlled by or under common control with, any person.

**PRICE PAID OR PAYABLE** - This term is defined as the total payment (whether direct or indirect and exclusive of any costs, charges, or expenses incurred for transportation, insurance, and other C.I.F. charges) made, or to be made, for imported merchandise by the buyer to, or for the benefit of, the seller.

**Question B: ASSISTS** - The term "assists" means any of the following if supplied directly or indirectly, and free of charge or at reduced cost, by the buyer of the imported merchandise for use in connection with the production or the sale for export to the United States of the merchandise:

- Materials, components, parts, and similar items incorporated in the imported merchandise.
- Tools, dies, molds, and similar items used in the production of the imported merchandise.
- Merchandise consumed in the production of the imported merchandise.
- Engineering, development, artwork, design work, and plans and sketches that are undertaken elsewhere than in the United States and are necessary for the production of the imported merchandise.

**PROCEEDS THAT ACCRUE TO THE SELLER** - This term is defined as the amount of any subsequent resale, disposal, or use of the imported merchandise that accrues, directly or indirectly, to the seller.

**ROYALTIES AND/OR LICENSE FEES** - This term relates to those amounts that the buyer is required to pay, directly or indirectly, as a condition of the sale of the imported merchandise for exportation to the United States.

**PAPERWORK REDUCTION ACT STATEMENT** - An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0023. The estimated average time to complete this application is 2 hours. The obligation to respond to this information collection is mandatory. If you have any comments regarding the burden estimate you can write to CBP PRA Officer, U.S. Customs and Border Protection, Office of Regulations and Rulings, 10th Floor, 90K Street NE., Washington, DC 20229-1177.

CBP Form 28 (07/18)

G.TEC 2021

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1551-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**  
19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier	5. Entry No.
5a. Invoice Description of Merchandise LAMPS & LIGHTING FIXTURES, TRANSFORMERS, LED LA		5b. Invoice No.	6. HTSUS Item No. 99038803
7. Country of Origin/Exportation CN		8. CBP Broker and Reference or File No.	
10. FROM: Nicholas Ruiz 22351 WILMINGTON AVE CARSON, CA 90745-4308 US		11a. Port 2408	11b. Date Information Furnished
<p><b>Production of Documents and/or Information Required by Law:</b> If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry in which it was supplied, and furnish a copy of your reply to this office, if possible.</p>			
<b>General Information and Instructions</b>			
12. Please Answer Indicated Question(s)		13. Please Furnish Indicated Item(s)	
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.		<input type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.	
<input type="checkbox"/> B. Identify and give details of any additional costs/ expenses incurred in this transaction, such as: <input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees		<input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.  <input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.  <input type="checkbox"/> D. Submit samples: Article number and description _____ from container _____ mark(s) and number _____ Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.  <input type="checkbox"/> E. See item 14 below.	
14. CBP Officer Message See continuation sheet			
15. Reply Message (Use additional sheets if more space is needed.)			
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.) I hereby certify that the information furnished here-with or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.			
17. CBP Official Nicholas Ruiz		18. Team Designation 068	19. Telephone No. 310-847-2487
20. Fax No.		21. Email nicholas.ruiz@cbp.dhs.gov	

CBP Form 28 (06/14)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1551-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**  
Continuation Page  
19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier	5. Entry No.
5a. Invoice Description of Merchandise LAMPS & LIGHTING FIXTURES, TRANSFORMERS, LED LA		5b. Invoice No.	6. HTSUS Item No. 99038803
7. Country of Origin/Exportation CN		8. CBP Broker and Reference or File No.	
14. CBP Officer Message The following 2 entries: _____ has been selected for review. Please provide: invoice, packing list, shipping documents, proof of payment, and any additional entry documents, via the Document Imaging System (DIS) or email, as well as a complete description of the goods for Line Items 1-4 for entry B and Line Item 1 for entry _____. Product descriptions should include pictures of the goods with product labels and packaging easily discernable.			
A response is required within 30 days of this request. Thank you in advance for the timely submission of requested information. If you have any questions regarding this notice, please contact me via email listed on this 28.			
17. CBP Official Nicholas Ruiz		18. Team Designation 068	19. Telephone No. 310-847-2487
20. Fax No.		21. Email nicholas.ruiz@cbp.dhs.gov	

CBP Form 28 (06/14)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**  
19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier		5. Entry No.	
5a. Invoice Description of Merchandise PVC TARP		5b. Invoice No.		6. HTSUS Item No. 6306192120	
7. Country of Origin/Exportation KR		8. CBP Broker and Reference or File No.			
9 TO:		10. FROM: Musah Glover Customs and Border Protection 1100 RAYMOND BLVD NEWARK, NJ 07102-5234 US			
Production of Documents and/or Information Required by Law: If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.		11a. Port 2006		11b. Date Information Furnished	
<b>General information and instructions</b>					
12. Please Answer Indicated Question(s)			13. Please Furnish Indicated Item(s)		
<input checked="" type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.			<input checked="" type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.		
<input checked="" type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as: <input checked="" type="checkbox"/> (1) packing <input checked="" type="checkbox"/> (2) commissions <input checked="" type="checkbox"/> (3) proceeds that accrue to the seller <input checked="" type="checkbox"/> (4) assists <input checked="" type="checkbox"/> (5) royalties and/or license fees			<input checked="" type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.  <input checked="" type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.  <input type="checkbox"/> D. Submit samples: Article number and description  from container _____ mark(s) and number _____ Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.  <input checked="" type="checkbox"/> E. See item 14 below.		
14. CBP Officer Message See continuation sheet					
15. Reply Message (Use additional sheets if more space is needed.)					
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.) I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.					
17. CBP Official Musah Glover		18. Team Designation 064		19. Telephone No. 973-368-6821	
20. Fax No.		21. Email musah.glover@cbp.dhs.gov			

CBP Form 28 (06/14)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 06-30-2016

**REQUEST FOR INFORMATION**  
Continuation Page  
19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier		5. Entry No.	
5a. Invoice Description of Merchandise PVC TARP		5b. Invoice No.		6. HTSUS Item No. 6306192120	
7. Country of Origin/Exportation KR		8. CBP Broker and Reference or File No.			
14. CBP Officer Message Please provide a certification that demonstrates PVC TARP as representative of the entire shipment, qualifies as a product of Korea and is eligible for preferential treatment under this US-Korea Free Trade Agreement (KORUS) claim in accordance with General Note 33 of the Harmonized Tariff Schedule. Supporting documentation is requested as well. Supporting documentation should include, but is not limited to the certificate of origin, affidavits, cost data (including the direct cost of processing and manufacturing), invoices, purchase orders, delivery confirmations, shipping documents, and employee records. (See the attached sheet.)  Provide name and address of the supplier for each of the materials and components.  Provide the weight and percentage of all the materials and components in the merchandise.  Explain in detail the manufacturing process that takes place at your factory and ensure that the manufacturing process can be followed from the initial material (yarn/fabric/thread) to finished product.  Note: Documents submitted must be in English Translations and must prove that the yarn was used to make the fabric, and the fabric was used to make the finished product.  All information is to be provided within 30 days of the date of this notice.					
17. CBP Official Musah Glover		18. Team Designation 064		19. Telephone No. 973-368-6821	
20. Fax No.		21. Email musah.glover@cbp.dhs.gov			

CBP Form 28 (06/14)

The country of origin of the merchandise covered by this entry has been represented as being that as shown on the CF28 in block 8. Please provide proof of such origin by providing the following documentation, any additional documentation not listed below which you believe may support such origin, and any explanations, time lines, document reconciliations, etc., which you believe may support such origin (**Provide translations as needed.**) Note, too, TBT-07-019 which can be found on our website, [www.cbp.gov](http://www.cbp.gov).

1. Raw materials:

- a. Records demonstrating how, where and from whom raw materials, e.g. fabrics, knit-to-shape components, trimmings and findings, were obtained. Such records would normally include purchase orders, invoices, bills of lading and receiving records;
- b. Export records and import records (if imported from another country into the claimed country of origin);
- c. Transfer records (if supplied by the importer/buyer, or if for a CMT operation, or under a subcontractual agreement);
- d. Internal production records (if produced by the manufacturer of the imported merchandise).

2. Cutting records for products assembled from cut components:

- a. Manual cutting records maintained by the cutting section covering the entire cutting production run with respect to the merchandise in question;
- b. Individual workers' daily cutting tickets pertaining to the aforementioned production run.
- c. A copy of the mini-marker, i.e., a miniaturized version of the fabric cutting marker or pattern. If a mini-marker is unavailable, please provide the full-sized marker or pattern.

3. Production records:

- a. A step-by-step summary of all production steps;
- b. Assembly or production records maintained on the factory floor by the production manager;
- c. Individual workers' daily assembly or production records;
- d. Listing of the number of, and types of, machines available for, and used in, the actual production;
- e. In-line inspection reports;
- f. Manufacturing factory profile/registration.

4. Employee records:

- a. Time cards showing that employees identified in 2 and 3, above, were actually working during the production run in question.
- b. Employee wage/payroll records.

5. Subcontracted production work:

- a. All applicable documents in items 1 through 4, above;
- b. All transfer documents showing movement of the freight from the subcontractor to the shipper or primary contractor;
- c. Proof of payment by the shipper or primary contractor for the work done.

6. Outward processing arrangement:

- a. All transportation records covering the exportation of the raw materials, components, subassemblies or finished goods for processing from the original country, and the importation thereof into the second country;
- b. Description and proof of the production processes carried out in the second country;
- c. All transportation records covering the exportation of the processed materials, components, subassemblies or finished goods for the second country, and importation thereof into the original country.

7. Exportation of finished goods from purported country of origin:

- a. Exportation documentation showing that the goods purportedly manufactured by the identified factory were, in fact, the goods actually exported to the U.S.A.

8. Proof of payment to the actual manufacturer:

- a. The letter of credit, proof of payment, or other documentation of payment arrangements from the importer/buyer to the actual manufacturer.

9. For special programs provide cost data and affidavits as well.

19 CFR Part 10 - ARTICLES CONDITIONALLY FREE,  
SUBJECT TO A REDUCED RATE, ETC.

1. Subpart A - General Provisions (§§ 10.1 - 10.183)
2. Subpart B - Caribbean Basin Initiative (§§ 10.191 - 10.199)
3. Subpart C - Andean Trade Preference (§§ 10.201 - 10.207)
4. Subpart D - Textile and Apparel Articles Under the African Growth and Opportunity Act (§§ 10.211 - 10.217)
5. Subpart E - United States-Caribbean Basin Trade Partnership Act (art F - Andean Trade Promotion and Drug Eradication Act (§§ 10.241 - §§ 10.221 - 10.237)
6. Subp10.257)
7. Subpart G - United States-Canada Free Trade Agreement (§§ 10.301 - 10.311)
8. Subpart H - United States-Chile Free Trade Agreement (§§ 10.401 - 10.490)
9. Subpart I - United States-Singapore Free Trade Agreement (§§ 10.501 - 10.570)
10. Subpart J - Dominican Republic - Central America - United States Free Trade Agreement (§§ 10.581 - 10.625)
11. Subpart K - United States-Jordan Free Trade Agreement (§§ 10.701 - 10.712)
12. Subpart L - United States-Australia Free Trade Agreement (§§ 10.721 - 10.748)
13. Subpart M - United States-Morocco Free Trade Agreement (§§ 10.761 - 10.787)
14. Subpart N - United States-Bahrain Free Trade Agreement (§§ 10.801 - 10.827)
15. Subpart O - Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (§§ 10.841 - 10.850)
16. Subpart P - United States-Oman Free Trade Agreement (§§ 10.861 - 10.890)
17. Subpart Q - United States-Peru Trade Promotion Agreement (§§ 10.901 - 10.934)
18. Subpart R - United States-Korea Free Trade Agreement (§§ 10.1001 - 10.1034)
19. Subpart S - United States-Panama Trade Promotion Agreement (§§ 10.2001 - 10.2034)
20. Subpart T - United States-Colombia Trade Promotion Agreement (§§ 10.3001 - 10.3034)

## 19 CFR § 10.1014 Originating goods.

- Except as otherwise provided in this subpart and General Note 33(n), HTSUS, a good imported into the customs territory of the United States will be considered an originating good under the UKFTA only if:
  - **(a)** The good is wholly obtained or produced entirely in the territory of one or both of the Parties;
  - **(b)** The good is produced entirely in the territory of one or both of the Parties and:
    - **(1)** Each non-originating material used in the production of the good undergoes an applicable change in tariff classification specified in General Note 33(o), HTSUS, and the good satisfies all other applicable requirements of General Note 33, HTSUS; or
    - **(2)** The good otherwise satisfies any applicable regional value content or other requirements specified in General Note 33(o), HTSUS, and satisfies all other applicable requirements of General Note 33, HTSUS; or
  - **(c)** The good is produced entirely in the territory of one or both of the Parties exclusively from originating materials.

# § 10.1004 Certification.

- (a) General. An importer who makes a claim pursuant to § 10.1003(b) of this subpart based on a certification by the importer, exporter, or producer that the good is originating must submit, at the request of the Center director, a copy of the certification. The certification:
  - (1) Need not be in a prescribed format but must be in writing or must be transmitted electronically pursuant to any electronic means authorized by CBP for that purpose;
  - (2) Must be in the possession of the importer at the time the claim for preferential tariff treatment is made if the certification forms the basis for the claim;
  - (3) Must include the following information:
    - (i) The legal name, address, telephone, and email address (if any) of the importer of record of the good (if known), the exporter of the good (if different from the producer), and the producer of the good (if known);



- (ii) The legal name, address, telephone, and email address (if any) of the responsible official or authorized agent of the importer, exporter, or producer signing the certification (if different from the information required by paragraph (a)(3)(i) of this section);
- (iii)
- (iv) The HTSUS tariff classification, to six or more digits, as necessary for the specific change in tariff classification rule for the good set forth in General Note 33(o), HTSUS; and
- (v) The applicable rule of origin set forth in General Note 33, HTSUS, under which the good qualifies as an originating good;
- (vi) Date of certification;
- (vii) In case of a blanket certification issued with respect to the multiple shipments of identical goods within any period specified in the written or electronic certification, not exceeding 12 months from the date of certification, the period that the certification covers; and

(4) Must include a statement, in substantially the following form:

“I certify that:

The information on this document is true and accurate and I assume the responsibility for proving such representations. I understand that I am liable for any false statements or material omissions made on or in connection with this document;

I agree to maintain and present upon request, documentation necessary to support these representations;

The goods comply with all requirements for preferential tariff treatment specified for those goods in the United States-Korea Free Trade Agreement; and

This document consists of \_\_ pages, including all attachments.”

- (b) Responsible official or agent. The certification provided for in paragraph (a) of this section must be signed and dated by a responsible official of the importer, exporter, or producer, or by the importer's, exporter's, or producer's authorized agent having knowledge of the relevant facts.
- (c) Language. The certification provided for in paragraph (a) of this section must be completed in either the English or Korean language. In the latter case, the Center director may require the importer to submit an English translation of the certification.
- (d) Certification by the exporter or producer.
- (1) A certification may be prepared by the exporter or producer of the good on the basis of:
  - (i) The exporter's or producer's knowledge that the good is originating; or
  - (ii) In the case of an exporter, reasonable reliance on the producer's written or electronic certification that the good is originating.
- (2) The Center director may not require an exporter or producer to provide a written or electronic certification to another person.

- (e) Applicability of certification. The certification provided for in paragraph (a) of this section may be applicable to:
  - (1) A single shipment of a good into the United States; or
  - (2) Multiple shipments of identical goods into the United States that occur within a specified blanket period, not exceeding 12 months, set out in the certification.
- (f) Validity of certification. A certification that is properly completed, signed, and dated in accordance with the requirements of this section will be accepted as valid for four years following the date on which it was issued.

# 19 USC 1592

## (c) Maximum penalties

### (4) Prior disclosure

If the person concerned discloses the circumstances of a violation of subsection (a) of this section before, or without knowledge of, the commencement of a formal investigation of such violation, with respect to such violation, merchandise shall not be seized and any monetary penalty to be assessed under subsection (c) of this section shall not exceed—

#### (A) if the violation resulted from fraud—

(i) an amount equal to 100 percent of the lawful duties, taxes, and fees of which the United States is or may be deprived, so long as such person tenders the unpaid amount of the lawful duties, taxes, and fees at the time of disclosure, or within 30 days (or such longer period as the Customs Service may provide) after notice by the Customs Service of its calculation of such unpaid amount, or

(ii) if such violation did not affect the assessment of duties, 10 percent of the dutiable value; or

(B) if such violation resulted from negligence or gross negligence, the interest (computed from the date of liquidation at the prevailing rate of interest applied under section 6621 of title 26) on the amount of lawful duties, taxes, and fees of which the United States is or may be deprived so long as such person tenders the unpaid amount of the lawful duties, taxes, and fees at the time of disclosure, or within 30 days (or such longer period as the Customs Service may provide) after notice by the Customs Service of its calculation of such unpaid amount.

The person asserting lack of knowledge of the commencement of a formal investigation has the burden of proof in establishing such lack of knowledge. For purposes of this section, a formal investigation of a violation is considered to be commenced with regard to the disclosing party and the disclosed information on the date recorded in writing by the Customs Service as the date on which facts and circumstances were discovered or information was received which caused the Customs Service to believe that a possibility of a violation of subsection (a) of this section existed

# 19 CFR § 162.74

19 CFR § 162.74 Prior disclosure. (a) In general—

(1) A prior disclosure is made if the person concerned discloses the circumstances of a violation of 19 U.S.C. 1592 or 19 U.S.C. 1593a, either orally or in writing to a Customs officer before, or without knowledge of, the commencement of a formal investigation of that violation, and makes a tender of any actual loss of duties, taxes and fees or actual loss of revenue in accordance with paragraph (c) of this section.

(1)(2) A person shall be accorded the full benefits of prior disclosure treatment if that person provides information orally or in writing to Customs with respect to a violation of 19 U.S.C. 1592 or 19 U.S.C. 1593a if the concerned Fines, Penalties, and Forfeitures Officer is satisfied the information was provided before, or without knowledge of, the commencement of a formal investigation, and the information provided includes substantially the information specified in paragraph (b) of this section. In the case of an oral disclosure, the disclosing party shall confirm the oral disclosure by providing a written record of the information conveyed to Customs in the oral disclosure to the concerned Fines, Penalties, and Forfeitures Officer within 10 days of the date of the oral disclosure.

# 19 CFR 162.74

....

**(b) Disclosure of the circumstances of a violation.** The term “discloses the circumstances of a violation” means the act of providing to Customs a statement orally or in writing that:

- (1) Identifies the class or kind of merchandise involved in the violation;
- (2) Identifies the importation or drawback claim included in the disclosure by entry number, drawback claim number, or by indicating each concerned Customs port of entry and the approximate dates of entry or dates of drawback claims;
- (3) Specifies the material false statements, omissions or acts including an explanation as to how and when they occurred; and
- (4) Sets forth, to the best of the disclosing party's knowledge, the true and accurate information or data that should have been provided in the entry or drawback claim documents, and states that the disclosing party will provide any information or data unknown at the time of disclosure within 30 days of the initial disclosure date..

# 19 CFR 162.74

***(c) Tender of actual loss of duties, taxes and fees or actual loss of revenue.*** A person who discloses the circumstances of the violation shall tender any actual loss of duties, taxes and fees or actual loss of revenue. The disclosing party may choose to make the tender either at the time of the claimed prior disclosure, or within 30 days after CBP notifies the person in writing of CBP calculation of the actual loss of duties, taxes and fees or actual loss of revenue.

The Fines, Penalties, and Forfeitures Officer may extend the 30-day period if there is good cause to do so....



6601 NW 25<sup>th</sup> Street  
Miami, FL 33132



**U.S. Customs and  
Border Protection**

February 17, 2021

Peter Quinter, Shareholder  
Gray | Robinson  
333 S.E. 2<sup>nd</sup> Avenue, Suite 3200  
Miami, FL 33131

RE: Prior Disclosure

Dear Mr. Quinter:

This is in response to the letter dated March 24, 2020, wherein disclosed the fact that lighting, transformers, bulbs and parts were undervalued, related parties were not declared and false statements were provided, imported through the Ports Miami (5201), Seattle (3001) and Chicago (3901) from January 16, 2019 through January 19, 2020. This action resulted in the underpayment of duties, fees, and interest in the amount of \$25,864.72. The amount of \$25,864.72 was tendered on February 2, 2021.

Customs and Border Protection (CBP) considers admission of the false statements made at the time of entry as violations of Title 19, United States Code, Section 1592. **Your request for prior disclosure treatment pursuant to 19 CFR 162.74 has been accepted.** The penalty assessable under 19 U.S.C. 1592(c)(4) is equal to the interest in the amount of \$260.14 due on the duties and fees of \$25,604.58 owed, as calculated from the date of liquidation of the affected entries to the date of collection of such duties and fees by CBP.

We have carefully reviewed the facts surrounding this violation and have decided to waive the issuance of a penalty for violation of 19 USC 1592 because the interest penalty would be under \$1,000.

Should you require additional information concerning this matter, please contact Ms. Garcia of the Fines, Penalties, and Forfeitures Office, at (305) 869-2881.

Sincerely,

Robert M. Del Toro  
Director, Fines, Penalties and Forfeitures

cc: CEE-Consumer



DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**

19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier	5. Entry No.
5a. Invoice Description of Merchandise Agglomerated quartz slabs		5b. Invoice No.	6. HTSUS Item No. 6810990010
7. Country of Origin/Exportation MY		8. CBP Broker and Reference or File No.	
9. TO:		10. FROM:	
<b>Production of Documents and/or Information Required by Law:</b> If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.		11a. Port 1801	11b. Date Information Furnished
<b>General Information and Instructions</b>			
12. Please Answer Indicated Question(s)		13. Please Furnish Indicated Item(s)	
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.		<input checked="" type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.	
<input type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as: <input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees		<input checked="" type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.  <input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.  <input type="checkbox"/> D. Submit samples: Article number and description _____  from container _____ mark(s) and number _____  Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.  <input checked="" type="checkbox"/> E. See item 14 below.	
14. CBP Officer Message See continuation sheet			
15. Reply Message (Use additional sheets if more space is needed.)			
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.)			
I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.		16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)	
		16b. Signature	
		16c. Telephone No.	16d. Date
17. CBP Official Christina Klee	18. Team Designation 089	19. Telephone No. 360-332-4808	
20. Fax No.	21. Email christina.p.klee@cbp.dhs.gov		

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 06-30-2016

**REQUEST FOR INFORMATION**

Continuation Page

19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier	5. Entry No.
5a. Invoice Description of Merchandise Agglomerated quartz slabs		5b. Invoice No.	6. HTSUS Item No. 6810990010
7. Country of Origin/Exportation MY		8. CBP Broker and Reference or File No.	
14. CBP Officer Message Customs and Border Protection is currently performing a review of line 001 of the above listed entry. Please provide the following records:  1. The name and location of the mine where the quartz you purchased originated.  2. Information on the manufacturer's suppliers of raw materials (ground quartz, resin, pigment, etc.). Please also include the purchase orders, invoices, and proof of payments for all raw materials the manufacturer purchased.  3. Have you visited the company from which you are purchasing the quartz surface products? If so, please provide details regarding your visit and your finding from the visit.  4. A through bill of lading showing movement of the goods from outside the Malaysia factory through to the place of delivery in the U.S.;  5. Purchase order and any revisions from the manufacturer to the importer of record;  6. Manufacturer invoices and proof of payment from importer to manufacturer for the shipment;  7. Certificate of Origin covering these shipments;  8. Importer of Record copy of commercial invoice, if purchased;  9. Contracts;  10. Explain the role and relationship of the parties involved in these import transactions.  11. Freight Bill(s) and Freight Proof of Payment for All Entries  12. Export documentation;  13. Complete description of all production processing steps and dates they were performed;  14. Transport Documents from Factory to Port and Transport Port to U.S. Port;  15. A contact email address for your manufacturer.  16. Also include in your response descriptive literature (sales flyer, brochure, catalog, spec. sheet, etc.) a statement explaining the intended use of imported goods as well as high quality photographs (front, back, side and end) of the product.  All records must contain sufficient translation into English. Please email your response to Christina.P.Klee@CBP.DHS.GOV. Your response to CBP is due within 30 days.			
17. CBP Official Christina Klee	18. Team Designation 089	19. Telephone No. 360-332-4808	
20. Fax No.	21. Email christina.p.klee@cbp.dhs.gov		

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1551-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**  
19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier	5. Entry No.
5a. Invoice Description of Merchandise Boxers Stud Jersey		5b. Invoice No. E001-116	6. HTSUS Item No. 6108229020
7. Country of Origin/Exportation PE		8. CBP Broker and Reference or File No.	
9. TO:  US		10. FROM: U.S. Customs and Border Protection 2025 PULASKI BLVD. DC BILTM WASHINGTON, DC 20536 US	
11a. Part 5206		11b. Date Information Furnished	
<p><b>Production of Documents and/or Information Required by Law:</b> If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.</p>			
<b>General information and instructions</b>			
12. Please Answer Indicated Question(s)		13. Please Furnish Indicated Item(s)	
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.  <input type="checkbox"/> B. Identify and give details of any additional costs/ expenses incurred in this transaction, such as: <input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees		<input checked="" type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.  <input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.  <input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.  <input checked="" type="checkbox"/> D. Submit samples: Article number and description _____ <b>Boxers Stud Jersey</b> from container <u>NA</u> mark(s) and number <u>NA</u> Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.  <input type="checkbox"/> E. See item 14 below.	
14. CBP Officer Message Please see attached			
15. Reply Message (Use additional sheets if more space is needed.)			
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.) I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.			
16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)		16b. Signature	
16c. Telephone No.		16d. Date	
17. CBP Official Eddie Griffin		18. Team Designation 074	
19. Telephone No. 901-480-4051		20. Fax No.	
21. Email eddie.g.griffin@cbp.dhs.gov			

**Entry #**

Request for information (CBPF-28), Attachment Item 14

The following good(s), "**Boxers Stud Jersey**" was/were imported into the U.S. and preferential tariff treatment was claimed under the United States – Peru Trade Promotion Agreement Implementation Act. This is notification that U. S. Customs and Border Protection is verifying the originating status of the good(s) pursuant to Annex 4.8; 19 CFR 10.926. The purpose of the verification is to determine whether the goods are originated per the rules of origin set forth in General Note 32 of the Harmonized Tariff Schedule of the U.S.

In our initial CBPF28 dated 11/19/2020, we requested a PETPA Certification/Statement per 19 CFR 10.904 and it was not received.

You are hereby required to produce supporting documentation to substantiate your claim for United States – Peru Trade Promotion Agreement Implementation Act preferential treatment.

**In order to substantiate that your good originates, provide the following:**

- Documentation substantiating the HTSUS classification number (schematics, pictures, end use), as appropriate;
- Entry packet documents (invoice, packing list, bill of lading, etc.);
- Contract (if any), Purchase order, Proof of payment;
- Statement that there are either no assists (engineering, equipment, molds, materials, etc.) or that there are assists and their values have been properly declared;
- Certification Statement** with ALL of the following elements:
  - Name and address of the Importer, Exporter, AND Producer,
  - Description of Goods,
  - Classification,
  - Preference Criterion,
  - Single/Multiple Shipment,
  - Authorized Signature & Certification that the information is true and accurate. You may elect to use the template<sup>1</sup> at <https://www.cbp.gov/document/guides/certification-origin-template>;
- Affidavits to substantiate the inputs required to originate per the rule of origin.** These affidavits must indicate the full name and address of each factory that produced the materials. An individual at that location must make the declaration. This person's name, phone number and fax number must be provided on the affidavit;
- Affidavits for the manufacture of the goods.** These affidavits should indicate the full name and address of the factory that produced the good. An individual at the location must make the declaration. This person's manufacturing process must be from raw material to finished goods;
- Commercial invoice (s) for the purchase of the raw materials and proof of payment;**
- Provide a bill of lading** if the fibers were produced in the United States (U.S.), showing its movement from the U.S. to the beneficiary country;
- \*All submitted documents must be English, or accompanied with an English translation**

11. Sample- one article size Large or larger (preferably light colored) of Boxers Stud Jersey.
12. Other documentation or explanation, as appropriate.

Notes:

- Materials of unsupported origin will be treated as non-originating.
- If the *de minimis* exception is employed, please elaborate and document.
- Verification findings will be applied to identical goods on a blanket certification of origin.
- Verification findings may be applied to all identical goods on unliquidated entries.
- Exporters or producers may respond directly to CBP to protect commercial information.
  - The Trade Secrets Act (18 USC 1905) protects against the unlawful release of commercial trade secrets.
  - 6 CFR 5.12 provides that commercial information provided by a business submitter and that CBP determines to be privileged or confidential will be treated as such and will not be disclosed pursuant to a Freedom of Information Act (FOIA) request or otherwise made known in any manner except as provided in that section.
- If you no longer believe that the tariff-shift rule of origin correctly identifies how your good originates, you may support another method.

Resources:

- CBP website for additional information:  
<https://www.cbp.gov/trade/priority-issues/trade-agreements/free-trade-agreements>  
<https://www.cbp.gov/trade/priority-issues/trade-agreements/special-trade-legislation>
- HTSUS General Note 32 is available at: <https://hts.usitc.gov/current>
- 19 CFR 10.926 is available at: <https://www.gpo.gov/fdsys/pkg/CFR-2017-title19-vol1/xml/CFR-2017-title19-vol1-part10.xml>

If you are the importer and your good does not originate, you must pay all duties and fees due. If your entry has not reached final liquidation, you should submit a post summary correction (PSC), <https://www.cbp.gov/trade/programs-administration/entry-summary> . If your entry has reached final liquidation, you should submit a prior disclosure; see *ABCs of Prior Disclosure*.

If you are the producer and/ or exporter and you no longer believe that your good originates, you are required to inform all certification of origin recipients that their certification is invalid.

Provide your response within 30 days. Failure to respond will result in the denial of the preference claim and may result in penalties.

Please, contact me if you have questions.

**GENERAL INFORMATION AND INSTRUCTIONS**

1. The requested information is necessary for proper classification and/or appraisement of your merchandise and/or for insuring import compliance of such merchandise. Your reply is required in accordance with section 509(a), Tariff Act of 1930, as amended (19 U.S.C. 1509).
2. All information, documents, and samples requested must relate to the shipment of merchandise described on the front of this form.
3. Please answer all indicated questions to the best of your knowledge.
4. All information submitted will be treated confidentially.
5. If a reply cannot be made within 30 days from the date of this request or if you wish to discuss any of the questions designated for your reply, please contact the CBP officer whose name appears on the front of this form.
6. Return a copy of this form with your reply.

**DEFINITIONS OF KEY WORDS IN BLOCK 12**

Question A: RELATED - The persons specified below shall be treated as persons who are related:

- (A) Members of the same family, including brothers and sisters (whether by whole or half blood), spouse, ancestors, and lineal descendants.
- (B) Any officer or director of an organization and such organization.
- (C) An officer or director of an organization and an officer or director of another organization, if each such individual is also an officer or director in the other organization.
- (D) Partners.
- (E) Employer and employee.
- (F) Any person directly or indirectly owning, controlling, or holding with power to vote, 5 percent or more of the outstanding voting stock or shares of any organization and such organization.
- (G) Two or more persons directly or indirectly controlling, controlled by or under common control with, any person.

PRICE PAID OR PAYABLE - This term is defined as the total payment (whether direct or indirect and exclusive of any costs, charges, or expenses incurred for transportation, insurance, and other C.I.F. charges) made, or to be made, for imported merchandise by the buyer to, or for the benefit of, the seller.

Question B: ASSISTS - The term "assist" means any of the following if supplied directly or indirectly, and free of charge or at reduced cost, by the buyer of the imported merchandise for use in connection with the production or the sale for export to the United States of the merchandise:

- (1) Materials, components, parts, and similar items incorporated in the imported merchandise.
- (2) Tools, dies, molds, and similar items used in the production of the imported merchandise.
- (3) Merchandise consumed in the production of the imported merchandise.
- (4) Engineering, development, artwork, design work, and plans and sketches that are undertaken elsewhere than in the United States and are necessary for the production of the imported merchandise.

PROCEEDS THAT ACCRUE TO THE SELLER - This term is defined as the amount of any subsequent resale, disposal, or use of the imported merchandise that accrues, directly or indirectly, to the seller.

ROYALTIES AND/OR LICENSE FEES - This term relates to those amounts that the buyer is required to pay, directly or indirectly, as a condition of the sale of the imported merchandise for exportation to the United States.

PAPERWORK REDUCTION ACT STATEMENT - An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0023. The estimated average time to complete this application is 2 hours. If you have any comments regarding the burden estimate you can write to Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 90 K St. NE., (10th Floor), Washington, DC 20229-1177.

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

**NOTICE OF ACTION**  
19 CFR 152.2

<b>This is NOT A Notice of Liquidation</b>			1. DATE OF THIS NOTICE 02/10/2021
2. CARRIER	3. DATE OF IMPORTATION	4. DATE OF ENTRY 09/04/2020	5. ENTRY NO.
6. MFR/SELLER/SHIPPER	7. COUNTRY PE	8. CBP BROKER AND FILE NO.	
9. DESCRIPTION OF MERCHANDISE Boxers Stud Jersey			
10. TO ▶		11. FROM ▶ Eddie Griffin US Customs & Border Protection 2915 BUSINESS PARK DR BLDG 1 MFMPHS, TN 38118-1558 US	
12. THE FOLLOWING ACTION, WHICH WILL RESULT IN AN INCREASE IN DUTIES, --			
<input type="checkbox"/> IS <b>PROPOSED</b>			
<input checked="" type="checkbox"/> HAS BEEN <b>TAKEN</b>			
<b>TYPE OF ACTION</b>			
A. <input checked="" type="checkbox"/> RATE ADVANCE B. <input type="checkbox"/> VALUE ADVANCE C. <input type="checkbox"/> EXCESS <input type="checkbox"/> WEIGHT <input type="checkbox"/> QUANTITY D. <input checked="" type="checkbox"/> OTHER (See below)			
13. EXPLANATION (REFER TO ACTION LETTER DESIGNATIONS ABOVE) U.S. Customs and Border Protection (CBP) attempted to verify the originating status of the following good(s) pursuant to, United States – Peru Trade Promotion Agreement Implementation Act (PETPA), Annex 4.6; 19 CFR 10.926, HTSUS GN 32. *Product Name(s)/Part No(s): /Description: Boxers Stud Jersey *Entry Number(s): *HTSUS Number(s): 6108 22.9020; 5.6% duty rate *Certificate of Origin (if applicable): NOT PROVIDED CBP has not received the information requested in CBP Form 29, "Proposed," attached, or has otherwise found that the information does not substantiate the originating status of the good(s). In view of your failure to provide the requested information, we have Denied the PETPA claim due to lack of information to verify if the imported merchandise qualifies for preferential tariff treatment pursuant to General Note 32 to the Harmonized Tariff Schedule of the U.S. *See attached CBP Form 29, Notice of Action, "Proposed" and CBP Form 26, "Request for Information" As compliance with a rule of origin has not been substantiated, the goods do not originate and the Certificate of Origin (CO) referenced in this notice is invalid for the aforementioned goods. If the CO has a blanket period, the negative determination will be applied to all commercially interchangeable goods imported within that period. The entry summary will be rate advanced and a bill will be issued for the amount of duty owed. If you are the exporter or producer, you are obligated to provide written notice, within 30 days of this negative (non-compliant) determination, to all persons to whom you have provided a CO. If you are the importer, you will be liable for the corresponding duties and fees for these and all commercially interchangeable goods imported within the blanket period, and may be subject to a penalty in accordance with 19 USC 1592 and 19 CFR 162.73 or 19 USC 1509(2) and 19 CFR Part 163. This decision may be appealed pursuant to 19 USC 1514 and 19 CFR 174. Appeals are allowed for 180 days after posting to "The Official Notice of Extension, Suspension and Liquidation" at <a href="https://aoeservices.cbp.dhs.gov/LBNotice">https://aoeservices.cbp.dhs.gov/LBNotice</a> . Appeals filed prior to liquidation will be denied as untimely. If you have questions or believe that this CBP Form 29, "Taken," was issued in error, please contact me immediately.			
14. CBP OFFICIAL Eddie Griffin		15. TEAM DESIGNATION 074	16. TELEPHONE 901-480-4051
17. FAX NUMBER		18. EMAIL eddie.g.griffin@cbp.dhs.gov	

CBP Form 29 (06/14)

G.TEC 2021

# Submitting a Protest to CBP

- Protests may be submitted to CBP electronically or in paper form.
- All protest submitted to CBP electronically must be submitted through the Automated Commercial Environment (ACE).
- An individual must have a Protest Filer Account in ACE to submit a protest.
- Account request instructions can be found at <https://www.cbp.gov/trade/automated/news/protest>
- Protests should not be submitted to CBP through email or fax.



# Creating a Protest in ACE

- The ACE Protest Module supports 514 Protest (19 U.S.C. 1514) or a 520(d) Post Importation Preference Claim (19 U.S.C. 1520).
- First step: once the protest type has been selected, input the lead entry summary number in the corresponding field.
  - This will autofill the Importer Number, Port Code, and Team Number fields for the protest.
- To add additional entries to the protest you can do so manually through the Add Additional Entry Numbers function, or you may upload a .txt file containing the entry numbers you wish to add.
  - Utilizing the Browse function in the Add Additional Entry Numbers function to locate and upload the desired file of entry numbers.
- ACE will perform a validation check to ensure the entry numbers exist in ACE.





# Protest Party Definitions

Protestant Type and Protestant Number: identifiers for the party for whom the Protest is being submitted.

- The type selection is the party type you are entering (Importer, Filer, Surety, etc).
- The number is their actual identifier (IOR Number, Filer Code, Surety Code).
- This combination allows validation that a party exists in ACE, which is the system of record for all account data.

Protest Filer Type and Protest Filer Number: identifiers for the party who is actually filing the Protest.

- ACE requires selection of the filer type; however, as a trade user, ACE identifies you when logged into the system, and as such, will populate your Protest Filer number with the number used for login.

Substitute Party Type and Substitute Party Number: optional identifiers for a party to whom a notice of approval or denial should be sent (box 11 on the CF 19).

Refund C/O Number: optionally used if the refund needs to be sent to a separate, specified party.

- Input in this field should only be entered if there is a Customs Form 4811 Special Address Notification on file, and as such, is required to be an importer of record number.



# Reason for Protest

- The Reason for Protest is the section of the protest where the filer explains, in detail, the issue at protest and what the filer has provided for substantiation of their claim.
- A clear and concisely written reason for protest that thoroughly explains the argument and substantiation of claim, nature and justification of the protest, is essential to a timely and accurate review.
- As this text box is limited in space, inputting “See attached documents” is acceptable and the reason for protest can be expanded on in a document(s) uploaded under the Upload Additional Documents section.
- Uploading of Additional Documents
  - All file types EXCEPT .tif, .tiff, and .txt can be uploaded.
  - The files can be no larger than 10MB.





## Documents to Upload with your Protest

- Substantiating documents may differ by protest type (514 or 520(d) and may also differ for protest issue (exclusion, CBMA, FTA, etc.).
- Documentation may include the reason for the protest, amount of refund per entry, or citing any regulation or rule (ruling) in support of the entry changes.
- Documents such as invoices, mill certificates, packing lists, measurements, sketches, etc., may be included.
- Trade Remedy protests: the exclusion and refund should be provided citing the complete reason, Section, and tariff numbers involved, as well as descriptive information for the product.
- ALL documents to substantiate a claim should be uploaded at the creation of the protest or as soon as possible thereafter.

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

**NOTICE OF ACTION**  
19 CFR 152.2

<b>This is NOT A Notice of Liquidation</b>			1. DATE OF THIS NOTICE 08/23/2017
2. CARRIER SHIPPING CORP.	3. DATE OF IMPORTATION	4. DATE OF ENTRY 11/07/2016	5. ENTRY NO.
6. MFR/SELLER/SHIPPER	7. COUNTRY	8. CBP BROKER AND FILE NO.	
9. DESCRIPTION OF MERCHANDISE LDPE (IPETHENE) - PLASTIC GOODS - SYNTHETIC RESIN			
10. TO ▶		11. FROM ▶	
12. THE FOLLOWING ACTION, WHICH WILL RESULT IN AN INCREASE IN DUTIES, ---			
<input type="checkbox"/> IS <b>PROPOSED</b>			
▶ IF YOU DISAGREE WITH THIS PROPOSED ACTION, PLEASE FURNISH YOUR REASON IN WRITING TO THIS OFFICE WITHIN 20 DAYS FROM THE DATE OF THIS NOTICE. AFTER 20 DAYS, THE ENTRY WILL BE EITHER LIQUIDATED AS PROPOSED OR CHANGED AS PROPOSED.			
<input checked="" type="checkbox"/> HAS BEEN <b>TAKEN</b>			
▶ THE ENTRY IS IN THE LIQUIDATION PROCESS AND IS NOT AVAILABLE FOR REVIEW IN THIS OFFICE.			
<b>TYPE OF ACTION</b>			
A. <input type="checkbox"/> RATE ADVANCE B. <input type="checkbox"/> VALUE ADVANCE C. <input type="checkbox"/> EXCESS <input type="checkbox"/> WEIGHT <input type="checkbox"/> QUANTITY D. <input checked="" type="checkbox"/> OTHER (See below)			
13. EXPLANATION (REFER TO ACTION LETTER DESIGNATIONS ABOVE)			
<p>U. S. Customs and Border Protection has verified the origin of the LDPE (IPETHENE)-PLASTIC GOODS-SYNETHETIC RESIN pursuant to Annex 3, Paragraph 9 of the US-Israel Free Trade Agreement (ILFTA). The goods were imported into the U.S. for which a claim for ILFTA preferential tariff treatment was made.</p> <p>The verification revealed that the goods qualify as an originating good pursuant to General Note 8 (b)(i) to the Harmonized Tariff Schedule of the U.S. The LDPE (IPETHENE) - PLASTIC GOODS - SYNTHETIC RESIN is classified under HTS 3901.10.5020 with a duty rate of FREE.</p>			
14. CBP OFFICIAL Rene Guajardo Jr		15. TEAM DESIGNATION 009	16. TELEPHONE 956-417-7843
17. FAX NUMBER		18. EMAIL rene.jr.guajardo@cbp.dhs.gov	

CBP Form 29 (06/14)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**

19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier		5. Entry No.	
5a. Invoice Description of Merchandise		5b. Invoice No.		6. HTSUS Item No.	
7. Country of Origin/Exportation		8. CBP Broker and Reference or File No.			
9. TO:		10. FROM: Pamela Powell US Customs & Border Protection 7501 CASTER DR Ste 100 HOUSTON, TX 75063 4038 US			
Production of Documents and/or Information Required by Law: If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.		11a. Port 1401		11b. Date Information Furnished	
<b>General Information and Instructions</b>					
12. Please Answer Indicated Question(s)			13. Please Furnish Indicated Item(s)		
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.			<input type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.		
<input type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as: <input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees			<input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.  <input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.  <input type="checkbox"/> D. Submit samples: Article number and description _____ _____ from container _____ mark(s) and number _____ Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.  <input checked="" type="checkbox"/> E. See item 14 below.		
14. CBP Officer Message See continuation sheet					
15. Reply Message (Use additional sheets if more space is needed.)					
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.)					
I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.		16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)		16b. Signature	
				16c. Telephone No.	
				16d. Date	
17. CBP Official Pamela Powell		18. Team Designation ICB		19. Telephone No. 972-870-7460	
20. Fax No.		21. Email pamela.j.powell@cbp.dhs.gov			

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 06-30-2016

**REQUEST FOR INFORMATION**

Continuation Page

19 CFR 151.11

3. Manufacturer/Seller/Shipper		4. Carrier		5. Entry No.	
5a. Invoice Description of Merchandise LDPE (Ipehene) – Plastic goods – Synthetic Resin		5b. Invoice No.		6. HTSUS Item No. 3901105020	
7. Country of Origin/Exportation		8. CBP Broker and Reference or File No. I Services, Inc.			
14. CBP Officer Message You have made an ILFTA claim for LDPE (Ipehene) – Plastic goods – Synthetic Resin. CBP is conducting an origin verification in accordance with ILFTA Annex 3, Paragraph 9.  If the good is the growth, product, or manufacture of Israel (U.S. inputs are acceptable) please provide the following:  1. Affidavit from the farm, fisherman, or mine that produced the goods (name, title, address, email and phone number). 2. Affidavit from a cooperative, buying group, other governmental or non-governmental entity that can reasonably attest to the origin of the goods (name, title, address, email and phone number). 3. Phytosanitary, environmental or similar forms issued by a governmental or non-governmental entity certifying compliance with standards applicable to domestically produced goods.  If the good is manufactured in Israel and contains any non-Israeli/non-U.S. inputs (disregard packing and packaging), provide the following, as appropriate: 1. Affidavit from the manufacturer certifying that it meets the ILFTA requirements, with name and title, address, email and telephone number. 2. Production flow-charts, manuals, descriptions, diagrams, pictures, etc. 3. Bill of Materials (costed) 4. Direct Cost of Processing (DCP) broken down 5. Value Added computation showing 35% Israeli content (may include up to 15% U.S. content). 6. ILFTA certification of origin may be provided. 7. If double-substantial transformation is used to meet the value added threshold, provide a detailed explanation.  The value added formula:  DCP + VOM x 100 35% AV  DCP = Direct Cost of Processing VOM = Value of Originating Materials AV = Appraised Value of imported good (19 USC 1401a, 19 CFR 152 Subpart E)  Provide your response within 30 days. Failure to respond will result in the denial of the preference claim and may result in penalties.  Please forward all substantiating documents and questions to: pamela.j.powell@cbp.dhs.gov					
17. CBP Official Pamela Powell		18. Team Designation ICB		19. Telephone No. 972-870-7460	
20. Fax No.		21. Email pamela.j.powell@cbp.dhs.gov			

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 09-30-2019

**REQUEST FOR INFORMATION**  
19 CFR 151.11

3. Manufacturer/Seller/Shipper 37:		4. Carrier HOEGH AUTOLINERS AS		5. Entry No.	
5a. Invoice Description of Merchandise 2019 MERCEDES BENZ SPRINTER		5b. Invoice No. INV-		6. HTSUS Item No. 9802005010	
7. Country of Origin/Exportation US GB		8. CBP Broker and Reference or File No. <small>All Ways International Shipping &amp; CHB in</small>			
9. TO:  US		10. FROM: US CUSTOMS AND BORDER PROTECTION % KENNETH YORK/AA CBE TEAM CBA 4349 WOODSON RD SUE 301 SAINT LOUIS, MO 63134-3716 US			
Production of Documents and/or Information Required by Law: If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.		11a. Port 1803		11b. Date Information Furnished	
<b>General Information and Instructions</b>					
12. Please Answer Indicated Question(s)			13. Please Furnish Indicated Item(s)		
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.			<input type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.		
<input type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as: <input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees			<input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.  <input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.  <input type="checkbox"/> D. Submit samples: Article number and description _____  _____ from container _____ mark(s) and number _____  Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.  <input checked="" type="checkbox"/> E. See item 14 below.		
14. CBP Officer Message See continuation sheet					
15. Reply Message (Use additional sheets if more space is needed.)					
16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.)					
I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.		16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)		16b. Signature	
				16c. Telephone No.	16d. Date
17. CBP Official Kenneth York		18. Team Designation CBA		19. Telephone No. 314-429-8156	
20. Fax No.		21. Email kenneth.j.york@cbp.dhs.gov			

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB No. 1651-0023  
Exp. 06-30-2016

**REQUEST FOR INFORMATION**

Continuation Page

19 CFR 151.11

3. Manufacturer/Seller/Shipper 137		4. Carrier		5. Entry No. 70	
5a. Invoice Description of Merchandise 2019 MERCEDES BENZ SPRINTER		5b. Invoice No. INV- ----		6. HTSUS Item No. 9802005010	
7. Country of Origin/Exportation US GB		8. CBP Broker and Reference or File No. <small>Shipping &amp; CHB in</small>			
14. CBP Officer Message Entry Number: 70 Entry Date: 04/12/2021 Invoice number: INV- Invoice Date: 09 Apr 2021 Commodity: 2019 MERCEDES BENZ SPRINTER (Horse Van) Vin No: iY9KT0 1. If declaring US Goods Returned, do you have a copy of the original CBP Form 3311? 2. I will need to see the Export Bill of lading for this conveyance exported to _____ limited? 3. What does Mrs. _____ do for employment? 4. When the Importer of Record, (Mrs. _____) purchased this vehicle, was it New or Used? 5. Was the vehicle purchased in the United States or directly from Germany? 6. The vehicle owner had sent this vehicle to the UK for modifications, per email dated 04/14/21, she did not take it or travel overseas herself, is this Correct? 7. Have all documents been converted to US Dollars, per the Customs Modernization Act of 1993, amended Tariff Act of 1930. 8. The receive repairs but also modifications citing invoice # INV- ---- declared value increased to \$56,270.00 with modifications per 7501, entry date of 04/19/2021. Is this the correct declared value of the goods? You can email me the related information to my email kenneth.j.york@cbp.dhs.gov. Thank you Note: Please provide all documentation requested to this office within 30 days from the date of this request. CBP is requesting these records pursuant to 19 USC 1509 and 19 C.F.R. 163.6. Failure to comply with a lawful request for the production of records within the time frame provided may result in the imposition of penalties.					
17. CBP Official Kenneth York		18. Team Designation CBA		19. Telephone No. 314-429-8156	
20. Fax No.		21. Email kenneth.j.york@cbp.dhs.gov			

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

**NOTICE OF ACTION**  
19 CFR 152.2

<b>This is NOT A Notice of Liquidation</b>			1. DATE OF THIS NOTICE 06/08/2021
2. CARRIER CARGA	3. DATE OF IMPORTATION	4. DATE OF ENTRY 08/21/2020	5. ENTRY NO.
6. MFR/SELLER/SHIPPER	7. COUNTRY CO	8. CBP BROKER AND FILE NO.	
9. DESCRIPTION OF MERCHANDISE GIRDLES, BRAS, GARTERS AND CORSETS			
10. TO LOS ANGELES, CA US		11. FROM PAULSON KGIN CUSTOMS & BORDER PROTECTION CST 044-4 DIB BLDG 77 JFK INTERNATIONAL AIRPORT JAMAICA, NY 11430 US	
12. THE FOLLOWING ACTION, WHICH WILL RESULT IN AN INCREASE IN DUTIES, —			
<input type="checkbox"/> IS <b>PROPOSED</b>			
<input checked="" type="checkbox"/> HAS BEEN <b>TAKEN</b>			
<b>TYPE OF ACTION</b>			
A. <input checked="" type="checkbox"/> RATE ADVANCE B. <input type="checkbox"/> VALUE ADVANCE C. <input type="checkbox"/> EXCESS <input type="checkbox"/> WEIGHT <input type="checkbox"/> QUANTITY D. <input checked="" type="checkbox"/> OTHER (See below)			
IF YOU DISAGREE WITH THIS PROPOSED ACTION, PLEASE FURNISH YOUR REASON IN WRITING TO THIS OFFICE WITHIN 20 DAYS FROM THE DATE OF THIS NOTICE. AFTER 20 DAYS, THE ENTRY WILL BE EITHER LIQUIDATED AS PROPOSED OR CHANGED AS PROPOSED.			
THE ENTRY IS IN THE LIQUIDATION PROCESS AND IS NOT AVAILABLE FOR REVIEW IN THIS OFFICE.			
13. EXPLANATION (REFER TO ACTION LETTER DESIGNATIONS ABOVE)			
NEGATIVE CTPA DETERMINATION:  The documentation submitted in response to our CBPF-28 request for information dated 03/11/21 and our CBPF-29 proposed notice of action dated 04/26/21 fails to substantiate that the garments entered on entry number are originating and entitled to preferential tariff treatment pursuant to the United States – Colombia Trade Promotion Agreement pursuant to 19 USC 3805. The garments fail to meet the relevant United States – Colombia Trade Promotion Agreement rule of origin in General Note 34 to the Harmonized Tariff Schedule of the United States. The HTS number applicable to the GIRDLES, BRAS, GARTERS AND CORSETS are BRAS 6212.10.5020 and 6212.10.5020 with a duty rate of 16.9%. GIRDLES 6212.20.0020 with a duty rate of 20%. CORSETS 6212.30.0020 with a duty rate of 23.6%. GARTERS 6212.90.0030 with a duty rate of 6.6%. The entry has been liquidated with an increase in duty.  Please note that our review revealed the following deficiencies in the submitted supporting documentation:  For fiber content 81.73 polyamide/ 18.27 elastane, the manufacturers affidavit from shows as the supplier and does not specify what they are supplying to. For the affidavit for invoice 10 and 71, there is no affidavit or invoice from. For fiber content 46 polyamide/ 15.94 elastane, the manufacturers affidavit from shows as the supplier and does not specify what they are supplying to Protela. For the Meg Textile affidavit, there is no affidavit from A&AT LLC. For invoices 71 and 72 fiber content 48.82 Nylon / 51.18 elastane, there are no matching compositions on the invoice for this instant shipment ( 67 and 72). On invoices 67 and 72, there were no documents submitted for compositions 46 polyamide/ 54 elastane, 79 polyamide / 21 elastane and 92 cotton/ 8 elastane.  You have the right to appeal the liquidation of the entry listed in this notice pursuant to 19 USC 1514 and 19 CFR 174. A Bulletin Notice of Liquidation will be posted at the Custom house where the entries were filed. Your appeal rights are allowed for 180 days after the Bulletin Notice of Liquidation is posted. Appeals filed prior to liquidation will be denied as untimely.			
14. CBP OFFICIAL Patricia Klein	15. TEAM DESIGNATION 074	16. TELEPHONE 718-487-2530	
17. FAX NUMBER	18. EMAIL patricia.a.klein@cbp.dhs.gov		

CBP Form 29 (06/14)

U.S. Department of Homeland Security  
211 West Fort Street, Rm 310  
Detroit, MI 48226



U.S. Customs and  
Border Protection

March 1, 2021

**BUSINESS CONFIDENTIAL VERSION**

EAPA Consolidated Case Number:

Re: Request for Information –

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Dear Sir / Madam:

U.S. Customs and Border Protection (CBP) has commenced a formal investigation under Title IV, Section 421 of the Trade Facilitation and Trade Enforcement Act of 2015, commonly referred to as the Enforce and Protect Act (EAPA), for [redacted]. Specifically, CBP is investigating whether [redacted] has evaded antidumping (AD) and countervailing duty (CVD) orders [redacted] on certain quartz surface products from the People's Republic of China (China) with its entries of merchandise into the United States. Per 19 Code of Federal Regulations (CFR) 165.23(b), "Any party to the investigation may submit additional information in order to support the allegation of evasion or to negate or clarify the allegation of evasion." Furthermore, 19 CFR 165.23(c)(2) states that "Factual information voluntarily submitted to CBP pursuant to paragraph (b) of this section must be submitted no later than 200 calendar days after CBP initiated the investigation under § 165.15." CBP initiated this investigation under EAPA on November 23, 2020.

Pursuant to 19 CFR 165.23(a), we are separately requesting additional information from [redacted]. We are soliciting the information requested in the enclosed request for information.

**RESPONSE DUE DATE:** March 19, 2021

CBP must conduct this investigation in accordance with statutory and regulatory deadlines. Therefore, the deadline to respond to this request for information is **5:00 p.m. ET on March 19, 2021**. If you fail to cooperate and comply to the best of your ability with Section 1 of this request, CBP may apply an inference adverse to [redacted] interest and select from among the facts otherwise available to make the determination as to evasion pursuant to 19

**FOR OFFICIAL USE ONLY**



1300 Pennsylvania Avenue, NW  
Washington, DC 20229



U.S. Customs and  
Border Protection

**PUBLIC VERSION**

March 1, 2021

AAA Innovation LLC 4236 River Bank Way Port Charlotte, FL 33980	Astera Kitchen and Bath, Inc. 4261 Communications Drive Norcross, GA 30093	FTR LLC 14 Beach Street, Suite 202 Seymour, CT 06483
GHS Group, LLC 6841 North Rochester Rd. Rochester Hills, MI 48306	Gin Investments Corp. 9568 Richmond Circle Boca Raton, FL 33434	Gold Stone Kitchen Depot Inc. 2953 S. 300W South Salt Lake, UT 84115
Granite Collection Inc. 485 Arbor Road Cinnaminson, NJ 08077	Ilkem Marble & Granite Inc. 2010 Springdale Road Cherry Hill, NJ 08003	Next Generation Marble and Granite LLC 1030 E. Commerce Dr, Suite 400 St. George, UT 84790
North Creation Granite Co. 57177 Coppergate Drive Elkhart, IN 46516	RQ Sales Co. LLC 87 South Brentwood Street Lakewood, CO 80226	RQ Sales LLC 2904 Broken Willow Cir. Las Vegas, NV 89117
The Top Shop, Inc. 5820 Barton Drive Shawnee, KS 66203	Total Scope Cabinets and Tops LLC 206 Brandonwood Drive Johnson City, TN 37604	YNY Management LLC 4055 Jackpot Road Grove City, OH 43123

Luke A. Meisner  
On behalf of Cambria Company LLC  
Schagrin Associates  
900 Seventh Street, NW, Suite 500  
Washington, DC 20001  
L.Meisner@SchagrinAssociates.com

Re: Notice of Initiation of Investigation and Interim Measures - EAPA Cons. Case 7522

The purpose of this notice is to inform you that U.S. Customs and Border Protection (CBP) has commenced a formal investigation under Title IV, Section 421 of the Trade Facilitation and Trade Enforcement Act of 2015, commonly referred to as the Enforce and Protect Act (EAPA), against AAA Innovation LLC (AAA); Astera Kitchen and Bath, Inc. (Astera); FTR LLC (FTR); GHS Group (GHS), LLC; Gin Investments Corp. (Gin); Gold Stone Kitchen Depot Inc. (Gold Stone); Granite Collection Inc. (Granite Collection); Ilkem Marble & Granite Inc. (Ilkem); Next Generation Marble and Granite LLC (Next Generation); North Creation Granite Co. (North Creation); RQ Sales Co. LLC (RQ Sales Colorado); RQ Sales LLC (RQ Sales Nevada); The Top Shop, Inc. (Top Shop); Total Scope Cabinets and Tops LLC (Total Scope); and YNY Management LLC (YNY) (collectively, "the Importers"). CBP is investigating whether the Importers evaded antidumping (AD) and countervailing duty (CVD) orders A-570-084 and C-570-085 on certain quartz surface products (QSP) from the People's Republic of China (China)

when importing QSP into the United States.<sup>1</sup> CBP has imposed interim measures because evidence supports a reasonable suspicion that the Importers entered merchandise covered by the AD/CVD orders into the customs territory of the United States through evasion.<sup>2</sup>

Period of Investigation

Pursuant to 19 CFR 165.2, entries covered by an EAPA investigation are those "entries of allegedly covered merchandise made within one year before the receipt of an allegation..."<sup>3</sup> Entry is defined as an "entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States."<sup>3</sup> CBP acknowledged receipt of the properly filed allegations against the Importers on October 30, 2020.<sup>4</sup> Thus, the entries covered by this investigation are those entered for consumption, or withdrawn from warehouse for consumption, from October 30, 2019, through the pendency of this investigation.<sup>5</sup>

Initiation

On November 23, 2020, the Trade Remedy Law Enforcement Directorate (TRLED), within CBP's Office of Trade, initiated an investigation under EAPA pursuant to the allegations<sup>6</sup>





For future submissions or factual information that you submit to CBP pursuant to this EAPA investigation, please provide a public version to CBP and to the parties identified at the top of this notice.<sup>304</sup> Should you have any questions regarding this investigation, you may contact us at [eapallegations@cbp.dhs.gov](mailto:eapallegations@cbp.dhs.gov) with "EAPA Cons. Case 7522" in the subject line of your email. Additional information on this investigation, including the applicable statute and regulations, may be found on CBP's website at: <https://www.cbp.gov/trade/trade-enforcement/tfeca/capa>.

Sincerely,



Brian M. Hoxie  
Director, Enforcement Operations Division  
Trade Remedy Law Enforcement Directorate  
CBP Office of Trade



<sup>304</sup> See 19 CFR 165.4; see also 19 CFR 165.23(c); see also 19 CFR 165.26.





THANK YOU