

# Southern Currents



## Notice to the Area Port of New Orleans Trade Community

**Date:** April 5, 2023

**No:** 23-018

### **SUBJECT: GUIDANCE on Manifesting Ship Stores, Equipment and Spares**

This notice is issued to clarify U.S. Customs and Border Protection's policy regarding Manifesting Ship's Stores, Equipment and Spares

**Ship's Supplies, Stores, Equipment and Spares:** Accessories that are required for the maintenance or general operation of a vessel.

- 19 USC §1401(c) defines merchandise as goods, wares, and chattels of every description. However, for customs purposes, merchandise does not include the equipment of a vessel so long as it is used by that vessel, and that such articles have been defined as those which are necessary and appropriate for the navigation, operation, or maintenance of that vessel and for the comfort and safety of the persons onboard.
- 19 USC §1446 allows vessels arriving from foreign to retain onboard ship's supplies, stores, equipment, and spares without the payment of duty. **If retained onboard, ACE cargo manifesting is not required. Some of these accessories (ships stores) are manifested on the CBP Form 1303 *Ship's Stores Declaration*.**

### **Unlading (Release) and Relading Ship Equipment and Spares for Repair.**

19 CFR §4.39 allows equipment and spares arriving either directly or indirectly from a foreign port or place, in need of repair in the United States to be unladen from and reladen upon the same vessel to be controlled (under the procedures set forth in 19 CFR§4.30) on the CBP Form 3171 *Application-Permit-Special License Unlading-Lading-Overtime Services*. This is the only situation where cargo declaration data for ship's equipment and spares is not required to be transmitted electronically to CBPA via ACE.

### **Procedures:**

1. Indicate on the vessel's CBP 3171, Section 9, # (4) that the vessel master wishes to land and release for repair, adjustment, or refilling, and to relade under CBP supervision articles of carrier's equipment (articles to be listed on the reverse side of the CBP 3171 showing the date and hour of unlading and relading.)

2. Complete the reverse of the CBP 3171 “**Record of Articles Released and Reladen**” indicating the record of articles released and reladen.
3. Submit the completed CBP 3171 to the appropriate CBP Marine Division via email at:
  - New Orleans: [gmb.neworleansmarinedesk@cbp.dhs.gov](mailto:gmb.neworleansmarinedesk@cbp.dhs.gov)
  - Gramercy: [gramercy-POE@cbp.dhs.gov](mailto:gramercy-POE@cbp.dhs.gov)
  - Baton Rouge: [cbp-ofo-batonrouge@cbp.dhs.gov](mailto:cbp-ofo-batonrouge@cbp.dhs.gov)
  - Morgan City: [bayouports@cbp.dhs.gov](mailto:bayouports@cbp.dhs.gov)
  - Lake Charles: [swla-ports@cbp.dhs.gov](mailto:swla-ports@cbp.dhs.gov)
4. Title the Email: **Unladen Equipment – “Vessel Name”**

**\*\*\*You will not receive a response from CBP unless the request is disapproved. CBP receipt via email without a response is CBP APPROVAL\*\*\***

**Required ACE Cargo Declaration – Manifest:**

Vessel/ship equipment and spares that are unladen from one vessel intended for **export, consumption, repair outside of the U.S. or transfer to another vessel must be manifested** in accordance with 19 CFR §4.7a(c). The cargo declaration data must be transmitted electronically to CBP via ACE as soon as the determination is made to unload the vessel/ship equipment, or as soon as a determination is made that the equipment will not be reladen onboard the same vessel.

- In these scenarios a bill of lading is required to complete cargo entry (consumption) or CBP approval the equipment to transit the U.S. as an in-bond movement (I.T., T.E., or I.E.)

Direct questions regarding this trade notice to Assistant Port Director Mark Choina at (504) 670-2287.

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