5 Nonpostal Export Regulations

510 Office of Foreign Assets Control (OFAC) Regulations — U.S. Department of the Treasury

511 General

The Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury administers and enforces economic and trade sanctions based on U.S. foreign policy and national security goals against targeted foreign countries and regimes, terrorists, narcotics traffickers, those engaged in activities related to the proliferation of weapons of mass destruction, and other threats to the national security, foreign policy, or economy of the United States.

512 Prohibited Destinations, Specially Designated Nationals, and Blocked Persons

Mailers may not send items to certain countries or regions (Cuba, Iran, North Korea, Sudan, and the Crimea region of Ukraine) or to a "blocked person" unless authorized by OFAC (see 114). Blocked persons include individuals and entities (regardless of the mailing destination) that are listed on the OFAC Specially Designated Nationals (SDN) list. The SDN list is available online at *www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf*.

Note: The Department of Commerce's Bureau of Industry and Security (BIS) also regulates exports to these countries and regions (see 532.1). The mailer might require separate authorization from both BIS and OFAC. For more information, see Publication 699, *Special Requirements for Shipping Internationally*.

513 Additional Standards

In addition to the restrictions in 512, mailers may not send items to an entity if a blocked person owns 50 percent or more of that entity.

514 Exceptions

Many OFAC sanctions programs have exemptions that cover the mailing of items such as certain humanitarian donations, personal communications containing nothing of value, or informational materials like books, newspapers, and CDs. In addition, under each sanctions program, OFAC has established "general licenses" that authorize shipments under certain conditions. If no exemption or general license applies, a mailing may be allowed if the mailer applies for and obtains a "specific license" from OFAC.

The exemptions and general licenses are specific to each sanctions program, and mailers are advised to review the OFAC regulations applicable to the relevant sanctions program.

Note: The Department of Commerce's Bureau of Industry and Security (BIS) also regulates exports to these countries and regions (see 532.1). The mailer might require separate authorization from both BIS and OFAC. For more information, see Publication 699.

515 Mailer Compliance

Mailers are required to comply with these regulations. Mailers may be subject to civil and criminal penalties for failing to comply with any part of OFAC's regulations.

516 Additional Information

The Postal Service provides additional information about OFAC sanctions and other international shipping requirements in Publication 699. For in-depth information, including an explanation of each OFAC sanctions program, licenses, and exemptions, see OFAC's Web site at *http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx*, or contact OFAC at 202-622-2000.

520 Foreign Trade Regulations — U.S. Census Bureau

521 General

Subchapter 520 describes the various U.S. Department of Commerce, U.S. Bureau of the Census requirements when shipping goods internationally. In certain circumstances, customers are responsible for entering information on PS Form 2976 or 2976-A. Customers may be subject to civil and criminal penalties if they fail to electronically file their export information when required or if they fail to comply with the Foreign Trade Regulations in any other way.

522 Additional Assistance

Customers needing further assistance with filing requirements should contact the U.S. Census Bureau on its toll-free hotline at 800-549-0595:

a. Option 1 – Automated Export System Assistance.

b. Option 2 – Commodity Classification Assistance.

c. Option 3 – Regulatory Assistance.

523 Mailpieces Sent to APOs, FPOs, and DPOs

Goods mailed to APO/FPO/DPO addresses are not subject to the Foreign Trade Regulations. Accordingly, customers are not required to file electronic export information via the U.S. Census Bureau's Automated Export System or AESDirect Web site for such mailings, and they do not need to present an Automated Export System (AES) Internal Transaction Number (ITN) or AES Exemption.

524 Internal Transaction Number (ITN)

524.1 General

U.S. Census Bureau regulations require electronic filing of export information through the Census Bureau's Automated Export System (AES) or AESDirect Web site for certain outbound international shipments of goods. Before mailing, customers subject to this filing requirement are responsible for presenting an Internal Transaction Number (ITN) or AES Downtime Citation as evidence of compliance.

524.2 Filing Requirements

524.21 Mandatory Filing

Electronic filing of export information is required when any of the following applies:

a. The value of any type of goods is over $2,500, unless an AES Exemption applies (see 526). For this purpose, value is measured according to all goods within the same Schedule B number or Harmonized Tariff Schedule number that is mailed from the same sender to the same recipient on the same day. (Schedule B is available at *www.census.gov/foreign-trade/schedules/b*. The Harmonized Tariff Schedule is available at *http://hts.usitc.gov*.) The following three examples illustrate the value criterion:

(1) **Example 1:** An insured Priority Mail International package contains one mechanical watch (Schedule B item number 9101.11.0000) valued at $2,400, and one electronic watch (Schedule B item number 9101.91.0000) valued at $2,400. The total value of goods to be mailed is $4,800, but because the mechanical watch and electronic watch are in different Schedule B groups, no group of items within the same Schedule B number is valued at more than $2,500. Consequently, electronic filing and an ITN *is not required*. Rather, AES Exemption "NOEEI 30.37(a)" applies, assuming that none of the separate requirements in 524.21b–g apply.

(2) **Example 2:** An insured Priority Mail International package contains two mechanical watches (Schedule B item number 9101.11.0000), each of which is valued at $1,300, for a total value of $2,600. These two items are in the same Schedule B number, and the value of all items within the same Schedule B number is more than $2,500. Consequently, electronic filing and an ITN *is required* (unless an exemption applies).

(3) **Example 3:** Person A sends two insured Priority Mail International packages to Person B on the same day. The first package contains one mechanical watch valued at $1,300, and the second package contains an identical watch, also valued at $1,300. The total value of goods within the same Schedule B number is $2,600, which is more than $2,500. Consequently, electronic filing and an ITN *is required* (unless an exemption applies).

b. The shipment contains goods other than informational materials and is destined to Iran, Sudan, or Syria.

c. The shipment contains goods, is destined to Cuba, North Korea, or the Crimea region of Ukraine, and does not qualify as informational materials or as a "gift parcel or humanitarian donation" as defined by 15 CFR §740.12.

d. The shipment qualifies as a "gift parcel or humanitarian donation" and is destined for the Crimea region of Ukraine, but requires a specific license from the Office of Foreign Assets Control. (See 510 for more information.)

e. The item requires an export license under U.S. law. (See 510, 530, 540, 560, and 590 for additional information.)

f. The item is authorized by an exemption under the International Traffic in Arms Regulations, 22 CFR Parts 123-126. (See 540 for additional information.)

g. The shipment involves a party designated on the BIS Unverified List, which is available at *http://www.bis.doc.gov/index.php/policy-guidance/lists-of-parties-of-concern/unverified-list*.

Note: With the exception of the Crimea region of Ukraine, the countries in 524.21b and c are those identified in Country Group E:1 in the Export Administration Regulations, 15 CFR Part 740, Supplement No. 1.

524.22 How to File Electronic Export Information and Obtain an Internal Transaction Number (ITN)

To file electronic export information through the U.S. Census Bureau's Automated Export System or AES*Direct* Web site and obtain an ITN, customers should use the following steps:

1. Go to *http://aesdirect.census.gov*.
2. Register for an AESDirect account or log into your existing account.
3. Follow the instructions for the Automated Export System Certification Quiz.
4. The "Port of Export" code for shipping through the Postal Service is "8000."
5. The "Mode of Transport" is "Mail."
6. Leave the carrier as "SCAC/IATA," and leave the conveyance name fields blank.
7. After successfully filing electronic export information, AES*Direct* will provide an alphanumeric Internal Transaction Number (ITN) as confirmation. The ITN consists of the letters "AES" followed by the ITN: for example, "AES X20080930987654."

Note: If the Automated Export System is down, call the U.S. Census Bureau's toll-free information hotline at 800-549-0595, option 1. For additional information on electronic filing, use option 3.

525 AES Downtime Citation

If electronic export information filing is required but the U.S. Census Bureau's Automated Export System or AES*Direct* is unavailable, the mailer may ship the goods but is responsible for providing the appropriate AES Downtime Citation instead of an ITN. This citation includes the word "AESDOWN," the mailer's AES filer identification number, and the date: for example, "AESDOWN 123456789 09/30/2009."

526 AES Exemption

526.1 General

In many circumstances, electronic export information filing and an ITN may not be required when mailing goods internationally. In these circumstances, customers are directed to apply an applicable AES Exemption on the customs declaration form upon mailing. The following conditions apply:

a. A mailer may enter one AES Exemption per addressed mailpiece. When multiple exemptions may apply, the mailer may select any one that applies.

b. A mailer cannot apply an AES Exemption to shipments that fall within 524.21b–g.

526.2 When Applicable

Customers with shipments not meeting the mandatory filing requirements under 524.21b–g may apply an AES Exemption such as the following on each customs declaration form:

a. "NOEEI 30.36" for shipments to Canada.

b. "NOEEI 30.37(a)" for shipments when the value of each class of goods is $2,500 or less.

c. "NOEEI 30.37(h)" or "NOEEI 30.37(y)" for shipments of gift parcels and humanitarian donations that are eligible to be sent to Cuba, North Korea, or the Crimea region of Ukraine. In addition, the mailer must endorse the item with the marking "GIFT — Export License Not Required" on the address side of the package. The mailer must also write "GFT" in the same block as the AES Exemption on the applicable required customs declaration, as described in 527. The mailer must complete all other blocks of the customs declaration form, including the "Detailed description of contents."

Note: For shipments of gift parcels and humanitarian donations that are eligible to be sent to the Crimea region of Ukraine, filing may or may not be required, depending on whether the shipments require a license from the Office of Foreign Assets Control (see 510 and 524.21d).

d. "NOEEI 30.37(y)" for shipments of informational materials that are eligible to be sent to Cuba, Iran, North Korea, Sudan, or Syria.

Note: For shipments of informational materials that are eligible to be sent to the Crimea region of Ukraine, filing may or may not be required, depending on requirements in 524.21a, 524.21d–g, and 526.2b.

Note: For more information and a complete listing of these and other AES Exemptions, see Appendix C of the Foreign Trade Regulations, 15 CFR Part 30.

527 Placement of ITN, AES Downtime Citation, or AES Exemption

When a shipment requires an ITN, AES Downtime Citation, or AES Exemption, it is the customer's responsibility to legibly write the ITN, AES Downtime Citation, or AES Exemption on the applicable customs declaration form as follows:

a. On PS Form 2976-A, *Customs Declaration and Dispatch Note — CP 72*, the customer should write one ITN, AES Downtime Citation, or applicable AES Exemption in block 10.

b. On PS Form 2976-B, *Priority Mail Express International Shipping Label and Customs Form*, the customer should write one ITN, AES Downtime Citation, or applicable AES Exemption in block 3.

c. On PS Form 2976, *Customs Declaration CN 22 — Sender's Declaration*, the customer should check the box "NOEEI § 30.37(a)" or "NOEEI § 30.37(h)" (depending on the applicable AES Exemption) in block 8. If the customer is sending informational materials to Cuba, Iran, North Korea, Sudan, or Syria as described in 526.2d, the customer should (1) completely obliterate the check boxes and text referring to NOEEI § 30.37(a) and NOEEI § 30.37(h) in block 8, and (2) write in "NOEEI § 30.37(y)."

Note regarding Cuba: Consumer communications devices, computers, and software (CCD) items sent to Cuba require an electronic filing when not included as a gift parcel — see the Individual Country Listing for Cuba for information regarding CCD items. A customer using PS Form 2976 to ship CCD items to Cuba should (1) completely obliterate the check boxes and text referring to NOEEI § 30.37(a) and NOEEI § 30.37(h), and (2) write one ITN or AES Downtime Citation.

d. On editions of the Global Express Guaranteed Air Waybill/Shipping Invoice (shipping label, Item 11FGG1) printed before August 2008, the customer should write "NOEEI 30.37(a)" next to the sender's signature. Current versions of Item 11FGG1 have this AES Exemption included on the mailing label.

Note: These standards also apply to mailers who produce privately printed customs declaration forms under 123.3.

530 Commodities and Technical Data

531 Scope and Applicability of Export Licensing Requirements

531.1 U.S. Department of Commerce — Bureau of Industry and Security; Export Controls

The Department of Commerce's Bureau of Industry and Security (BIS) regulates the export of commodities, software, and technologies in certain circumstances, pursuant to the Commerce Department's Export Administration Regulations (EAR) (15 CFR Parts 730–774). Among other things, BIS requires exporters to apply for and receive a license before sending certain commodities, software, or technology out of the country. The EAR can be found online at *www.access.gpo.gov/bis*.

Other U.S. government agencies have export control responsibilities for regulating more specialized exports. For example, military goods might be subject to the licensing jurisdiction of the Directorate of Defense Trade Controls at the Department of State. The Department of the Treasury's Office of Foreign Assets Control (OFAC) administers and enforces economic and trade sanctions against targeted foreign countries, terrorism-sponsoring organizations, international narcotics traffickers, and other blocked entities. The BIS Web site identifies resource links for various U.S. government agencies with export control responsibilities. Customers may obtain a listing of these links at *www.bis.doc.gov/About/reslinks.htm*.

For additional information about these requirements, see Publication 699.

531.2 Export Enforcement

BIS implements and enforces the EAR. Many items regulated by the EAR are referred to as "dual-use" items, meaning that the items have both commercial and military or proliferation applications. However, many purely commercial items also are subject to the EAR. BIS's mission is to advance U.S. national security, foreign policy, and economic objectives by ensuring an effective export control and treaty compliance system and by promoting continued U.S. strategic technology leadership. Senders must understand and comply with BIS's regulations when exporting commodities, software, or technology by mail. Postal Service employees will not advise prospective mailers of the type of license required for or the type of authorization available for the export of any item to any destination or recipient. However, if an export control violation has occurred or might occur, or for more information, contact the following source:

OFFICE OF EXPORT ENFORCEMENT (OEE)
BUREAU OF INDUSTRY AND SECURITY
US DEPARTMENT OF COMMERCE
1401 CONSTITUTION AVE NW
WASHINGTON DC 20230-0002

TELEPHONE: 202-482-1208

In addition, OEE has nine field offices located throughout the United States. Information about these field offices is available at www.bis.doc.gov/about/programoffices.htm.

532 Export Licenses

532.1 General

BIS might require an export license based on several factors specific to a mailer's transaction: the nature and use of the item (commodity, software, or technology) being exported, its destination, the consignee, and the end user. Exports to certain countries are more heavily restricted than others. For example, BIS maintains comprehensive controls against certain countries and regions (as of February 2015, these are Cuba, Iran, North Korea, Sudan, Syria, and the Crimea region of Ukraine). For additional information on requirements for shipping to these countries and regions, see Publication 699.

532.2 Export — Definition

Any item that is sent from the United States to a foreign destination is an export. "Items" include commodities, software, and technology. For example, clothing, building materials, circuit boards, automotive parts, blueprints, design plans, retail software packages, and technical information are "items" that may be subject to export control.

In determining export license requirements, it does not matter how an item is transported outside the United States. For example, an item can be sent by regular mail or hand-carried on an airplane; a set of schematics can be sent via facsimile to a foreign destination, software can be uploaded to or downloaded from an Internet site, or technology can be transmitted via e-mail or during a telephone conversation. Regardless of the method used for the transfer, the transaction is considered an "export" for export control purposes. An item is also considered an export even if it is leaving the United States only temporarily, if it is leaving the United States but is not for sale (e.g., a gift), or if it is being mailed to a wholly-owned U.S. subsidiary in a foreign country. Finally, under the EAR, release of technology or source code subject to the EAR to a foreign national in the United States is "deemed" to be an export to the home country of the foreign national.

532.3 How to Determine If an Export License Is Needed

A relatively small percentage of U.S. exports require an export license from BIS. License requirements are dependent upon an item's technical characteristics, destination, recipients, and end use. The value of the shipment does not affect the export license requirements. It is the mailer's responsibility to determine if an export requires a license under the EAR. For further assistance about whether an export license might be required, visit www.export.gov/regulation or www.bis.doc.gov/licensing, or call 202-482-4811.

532.4 Additional Information

Additional information concerning export licenses is available from the U.S. Department of Commerce as follows:

a. Mailers located in Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming should contact either of the following offices:

- BIS WESTERN REGIONAL OFFICE
  US DEPARTMENT OF COMMERCE
  3300 IRVINE AVE STE 345
  NEWPORT BEACH CA 92660-3112
  Telephone: 949-660-0144
  Fax: 949-660-9347
  e-mail: *biswest@bis.doc.gov*
- BIS WESTERN REGIONAL OFFICE — NORTHERN CA BRANCH
  US DEPARTMENT OF COMMERCE
  160 WEST SANTA CLARA ST STE 725
  SAN JOSE CA 95113-1758
  Telephone: 408-998-8806
  Fax: 408-998-8677
  e-mail: *biswest@bis.doc.gov*

b. Mailers in all other locations should contact the following office:

OFFICE OF EXPORTER SERVICES
OUTREACH AND EXPORTER SERVICES DIVISION
US DEPARTMENT OF COMMERCE
14TH ST & PENNSYLVANIA AVE NW
WASHINGTON DC 20230-0001

Telephone: 202-482-4811
Fax: 202-482-2927
e-mail: *ecdoexs@bis.doc.gov*

533 Additional Standards

533.1 Shipper's Export Declaration

Commerce Form 7525-V, *Shipper's Export Declaration*, is obsolete and no longer accepted by the Postal Service.

533.2 Shipper's Electronic Export Filing Required

If an export requires a license, the customer must electronically file export information with the U.S. Bureau of the Census before mailing (see 520).

533.3 Mailer and USPS Responsibilities for Completing and Processing Forms

533.31 Mailer Responsibilities

For items requiring an export license, the mailer must include all appropriate information on the submitted form, including the following:

a. On PS Form 2976-A, *Customs Declaration and Dispatch Note — CP 72*, the mailer must include an ITN or AES Downtime Citation (see 520) in block 10 and a license number in block 16.

b. On PS Form 2976-B, *Priority Mail Express International Shipping Label and Customs Form*, the mailer must include an ITN or AES Downtime Citation (see 520) in block 3 and a license number in block 14.

533.32 USPS Responsibilities

Postal Service personnel must verify that the submitted form is complete and in accordance with 533.31.

540 Munitions (Defense Articles) and Related Technical Data

541 Licensing Requirements

541.1 Individual Licenses

541.11 Exporting Defense Articles

The exportation of defense articles requires a license or license exemption authorized by the U.S. Department of State, Directorate of Defense Trade Controls (DDTC). Requirements for the exportation of defense articles are contained in the International Traffic in Arms Regulations (ITAR) in 22 CFR Part 120–130. Further information, including the ITAR, is available at the DDTC Web site at *www.pmddtc.state.gov*.

See certain sections of the CFR for specific information relating to defense articles, as follows:

a. For information concerning defense articles subject to the license requirement, see 22 CFR Part 121.

b. For information concerning licenses for the export of defense articles, see 22 CFR Part 123.

c. For information concerning license exemptions for the export of defense articles, see 22 CFR Part 126.

541.12 Exporting Technical Data

The exportation of “technical data” as defined in 541.121 requires a license issued by the Department of State, Directorate of Defense Trade Controls (DDTC). Information related to DDTC can be found at its website at *www.pmddtc.state.gov/index.html*.

Information concerning licenses for the export of technical data can be found online in 22 CFR Part 125 of the ITAR at *www.pmddtc.state.gov/regulations_laws/itar.html*.

541.121 Technical Data — Definition

According to § 120.10 of the ITAR, “technical data” is defined as follows:

a. Information, other than software as defined in § 120.10(a)(4), that is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance, or modification of defense articles. This includes information in the form of blueprints, drawings, photographs, plans, instructions, and documentation.

b. Classified information relating to defense articles and defense services.

c. Information covered by an invention secrecy order.

d. Software as defined in § 121.8(f) directly related to defense articles.

"Technical data" does not include information concerning general scientific, mathematical, or engineering principles commonly taught in schools, colleges, and universities, or information in the public domain as defined in § 120.11. It also does not include basic marketing information on function or purpose or general system descriptions of defense articles.

541.122 **Technical Data — Exempt From Licensing**

Technical data that has been published or that is otherwise exempt from licensing under 22 CFR Part 125 of the ITAR does not require a Department of State license for exportation. However, the sender must mark the outside of the mailpiece, identifying the specific subsection under which the exemption is claimed (e.g., "22 CFR 125.4…APPLICABLE," if 22 CFR § 125.4 is the citation for the relevant exemption).

541.2 Prohibited Countries

Technical data exemptions under 541.122 and requests for licensees to export defense articles under 541.11 may not be made for items destined to or originating in certain prohibited countries. These countries are listed in 22 CFR § 126.1 of the ITAR. The mailer should visit the DDTC website at *www.pmddtc.state.gov* for a current listing. As of April 2010, these countries include the following:

a. Belarus.

b. Burma.

c. China.

d. Congo, Democratic Republic of the.

e. Cote d'Ivoire.

f. Cuba.

g. Eritrea.

h. Iran.

i. Iraq.

j. Lebanon.

k. Liberia.

l. Korea, Democratic People's Republic of (North Korea).

m. Sierra Leone.

n. Somalia.

o. Sudan.

p. Syria.

q. Venezuela.

Note: Mailers are advised to check the current version of 22 CFR § 126.1 of the ITAR for an updated list before mailing, as the list is subject to change.

541.3 Exporting of Government Shipments

Shipments mailed by or for any U.S. government agency do not require an individual license from the Department of State so long as all requirements of 22 CFR §126.4 can be met. The sender must mark the mailpiece with the applicable subsection of §126.4 (e.g., "22 CFR 126.4(a) APPLICABLE").

541.4 Obtaining Additional Information

The sender may obtain information from the DDTC Response Team, regarding the applicability of the Department of State requirements and application for an individual license. In addition, the DDTC Response Team handles process and status questions, and it assists mailers and other exporters with more complex questions involving export control issues. The DDTC Response Team should provide substantive responses within 24 hours of receiving inquiries. The DDTC Response Team can be contacted by telephone at 202-663-1282 or by e-mail at *DDTCResponseTeam@state.gov.*

542 Mailing Under Individual Licenses

542.1 Marking by Sender

For shipments under an individual license, the sender must mark the mailpiece, "DEPARTMENT OF STATE EXPORT LICENSE NO. _____." If only a portion of the amount authorized is mailed, the sender must enter in the area provided on the license the amount (quantity and/or value) being shipped. In addition, the sender must record the license number in Block 17 of PS Form 2976-A.

542.2 Processing at Post Office Facilities

542.21 Examination of List of Contents

When a sender presents a Department of State license, compare the description of the article indicated on the license with the description of the contents shown on the customs declaration form (see 123), or stated orally by the sender in the case of technical data mailed as printed matter (see 541.121). If no discrepancy is noted, the contents of the package are mailable, and if the destination is not one of the prohibited countries under 541.2, accept the package for mailing.

542.22 Amount of Mailing Authorized by License

If the mailing comprises the entire contents authorized by the license, retrieve the license from the sender, mark the license "completed," apply a legible postmark, and forward it to the following address:

PM/DDTC SA-1 12TH FLOOR
DIRECTORATE OF DEFENSE TRADE CONTROLS
BUREAU OF POLITICAL MILITARY AFFAIRS
US DEPARTMENT OF STATE
WASHINGTON DC 20522-0112

If a mailing includes only a portion of the contents authorized, the mailer must enter in the area provided on the license the amount (quantity and/or value) being shipped and present the item for mailing at a Post Office facility, where it will be postmarked and returned to the sender. The mailer should bring back the same license to mail the rest of the items.

550 Dried Whole Eggs

551 Description

When dried whole eggs purchased under a program of the Commodity Credit Corporation, U.S. Department of Agriculture, are offered for export by mail, an endorsement must be written or stamped on each package and a special certificate of mailing (see 552) prepared and completed by the sender waiving any right to withdraw the package from the mail or to have it returned. Such mailings can be made only by Priority Mail International.

552 Charges

A charge equal to the individual Certificate of Mailing fee (see Notice 123, *Price List*) will be made for each special certificate of mailing, or for each package if a single certificate covers more than one package. As prescribed in 553.21, postage stamps to cover the charge will be affixed to the certificate and canceled.

553 How to Mail

553.1 Preparation by Sender

553.11 Marking

The endorsement referred to in 551 must be properly completed and signed by the exporter or an authorized representative over his or her title. The Priority Mail International forms accompanying applicable parcels should be completed by the sender to indicate that the parcels are to be abandoned in case of nondelivery.

553.12 Certificate of Mailing Dried Whole Eggs

553.121 Type of Certificate

A certificate as shown in Exhibit 553.121, prepared and completed by the sender, must be presented with all shipments described in 551.

Exhibit 553.121
Certificate of Mailing Dried Whole Eggs

CERTIFICATE OF MAILING DRIED WHOLE EGGS

I hereby certify that there has (have) been posted at this Post Office facility today by (Sender), parcels containing a total of (Number) pounds of dried whole eggs on which the sender has waived the right to withdraw same from the mail or have same returned.

Parcels addressed to

_____
(Name and addresses of addressees)

_____ _____
(Office stamp) (Postmaster)
(Date)

_____
By

553.122 **Single Certificate**

A single certificate may cover any number of parcels mailed by the same sender even though addressed to different countries.

553.2 Processing in Office of Mailing

553.21 Postage

Postage to cover the charge for the certificate of mailing dried whole eggs must be affixed to the certificate and canceled by the postmark of the office of mailing.

553.22 Signature of Postmaster

After postmarking, the certificate should be signed by the postmaster or an authorized representative and returned to the sender.

560 Export of Rough Diamonds

561 General

The exportation (mailing) from the United States of any rough diamond (regardless of size, source, or value) is prohibited unless the rough diamond has been controlled through the Kimberley Process Certification Scheme. The Clean Diamond Trade Act of 2003 and Executive Order 13312 commit the U.S. government to the Kimberley Process Certification Scheme and establish the framework for how the U.S. government implements that commitment. The Rough Diamonds Control Regulations (31 CFR Part 592) set forth the legal obligations of U.S. rough diamond importers and exporters.

562 Mailing

The exportation (mailing) of rough diamonds may be sent only under the following conditions:

a. The shipment must be sent via Priority Mail International service with insured service (see 134), and such service must be available to the destination country.

b. The shipment must bear a completed PS Form 2976-A, *Customs Declaration and Dispatch Note — CP 72.*

c. The shipment of rough diamonds must be exported to countries that are participants in the Kimberley Process Certification Scheme.

d. The rough diamonds must be accompanied by an original Kimberley Process Certification Scheme certificate and must be sealed in a tamper-resistant container.

e. The shipment must be accompanied by a U.S. Kimberley Process Certification Scheme certificate obtained from a U.S. Kimberley Process Certification Scheme Authority licensee and validated by the U.S. Census Bureau.

f. The mailer must electronically file pre-departure information (regardless of the export value) through the U.S. Census Bureau's Automated Export System (AES) or AES*Direct* Web site and obtain an Internal Transaction Number (ITN). (See 520.)

g. The mailer must place the ITN on the upper right corner of the Kimberley Process Certification Scheme certificate document and in block 10 of PS Form 2976-A.

h. The mailer must fax copies of all Kimberley Process Certification Scheme certificates (U.S. and those received from other countries) to the U.S. Census Bureau at 800-457-7328.

i. The mailer must retain records of all Kimberley Process Certification Scheme certificates (U.S. and foreign) for 5 years, and must file an annual report including total import and/or export activity and stockpile information with the State Department.

563 Additional Information

For additional information relating to the import or export of rough diamonds, see the contact information that is available from the Office of International Trade, Strategic Enforcement Branch at *http://www.cbp.gov/xp/cgov/toolbox/contacts/office_intl_trade_contacts.xml*.

Additional information relating to the Kimberley Process Certification Scheme is available at *http://www.state.gov/e/eb/diamonds/c19974.htm*.

570 Consular and Commercial Invoices

Many countries require special documents to be prepared by the sender and to be either presented by the addressee or enclosed within the package. In some cases, certification by a recognized Chamber of Commerce in the United States, or legalization by a consulate in the country of destination, or both, are required. Such information as has been made available to the U.S. Postal Service concerning these requirements appears under the *Observations* in the Individual Country Listings.

580 Drawback Arrangement

581 Description

Drawback is an arrangement provided for under Customs Service regulations whereby exporters of certain merchandise are entitled to claim a refund of (a) the duty paid on imported material used wholly or in part in the manufacture or production of items to be exported, or (b) the internal revenue tax paid on domestic material used.

582 Processing Drawback Claims

582.1 Forms Required

582.11 List of Forms

The following forms must be used when drawback is claimed:

a. *Notice of Exportation of Articles with Benefit of Drawback* (Customs Form 7511).

b. *Waiver of Sender's Right to Withdraw Package From the Mail* (Customs Form 3413).

582.12 Where to Obtain the Forms

Exporters may obtain Customs Form 7511 and 3413 from the customs offices listed in 711.62.

582.2 Preparation by Senders

582.21 Claiming Drawback

Senders intending to claim drawback on items exported by mail must present three completed copies of a *Notice of Exportation of Articles with Benefit of Drawback* (Customs Form 7511) with the package or packages.

582.22 Waiver of the Right to Withdraw the Package

A waiver of the right to withdraw the package from the mail must appear on the address side of each package. This waiver may be made on Customs Form 3413 and affixed to the wrapper, or may be stamped or written in wording similar to that shown in Exhibit 582.22.

Exhibit 582.22
Waiver of the Right to Withdraw the Package

WARNING
EXPORTED IN BOND FOR DRAWBACK
UNDER N.E. NO.

Must not be returned to shipper or delivered in United States before submission to District Director of Customs.

Shipper _____

_____

We hereby waive our right to withdraw this package from the mail.

_____
Shipper's Signature

582.3 Processing by Postmaster

582.31 Postmaster's Certification

Postmark and sign the Postmaster's Certificate on the reverse side of Customs Form 7511 after verifying that the marks and numbers on the form conform to those on the package and that the sender has signed the statement waiving the right to withdraw the package from the mail.

582.32 Disposal of Forms

Dispose of completed Customs Form 7511 as follows:

a. Return one copy to the sender.

b. Forward one copy to the customs port where the claim is to be filed (shown on the front of the form).

c. Retain one copy as a Post Office record. Dispose of this copy after 3 years.

590 Exporting Wildlife and Protected Plants

591 Special Requirements for Wildlife and Certain Plant Exports

Exports of wildlife items and products may be subject to declaration, license, marking, and permit requirements enforced by the U.S. Fish and Wildlife Service (USFWS). Similar requirements also apply to plants protected as endangered or threatened under U.S. law or international treaty. Live wildlife and dead animals, with only a few exceptions, may not be exported via the U.S. Postal Service (see 138.1).

592 Declaration Requirements

592.1 Declaration of Wildlife Exports

The following wildlife exports must be declared to USFWS and must receive clearance prior to export:

a. Commercial exports of wildlife products.

b. Shipments of items not intended for commercial use valued at $250 or more.

c. Noncommercial shipments of items that require a permit for export (e.g., products made from endangered species or migratory birds) regardless of the dollar value of the shipment.

To declare a wildlife export, shippers must complete and file Form 3-177, *Declaration for Importation or Exportation of Fish or Wildlife,* with USFWS. Copies are available from wildlife inspection offices (see 598), from the U.S. Customs Service, or on the Internet at *www.fws.gov/le/ImpExp/faqs.htm*.

592.2 Declaration of Scientific Specimens or Parts

Form 3-177 is not required at the time of export for shipments of dead, preserved, dried, or embedded scientific specimens or parts when:

a. The shipment does not require a permit from USFWS.

b. The shipment is exported by an accredited scientist or accredited scientific institution for taxonomic or systematic research purposes.

Instead, the scientist or scientific institution (or an agent acting on their behalf) must file Form 3-177 with the assistant regional director for law enforcement in the USFWS administrative region from which the export was mailed within 180 days of export. Contact information is available on the Internet at *www.le.fws.gov* (click on *Contacts*).

592.3 Declaration of Plant Exports

The export of protected plants is regulated by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). Plant Protection and Quarantine (PPQ) is a program within APHIS. Shippers should contact the PPQ division for additional information about export requirements for protected plants. Exporters who engage in the commercial trade of plants listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) must obtain a general permit from PPQ in addition to meeting the permit requirements described in 596. All plant exports are subject to phytosanitary inspection and certification rules administered by PPQ. Information about plant export requirements can be found at *www.aphis.usda.gov/import_export/index.shtml*.

593 Export Licenses and Inspection Requirements for Commercial Wildlife Exports

Individuals or companies that commercially export wildlife must have a valid import/export license from USFWS. Exporters must notify USFWS and make their shipments available for inspection at least 48 hours before the planned exportation date. Exporters must pay appropriate inspection fees.

594 Marking Requirements for Wildlife Exports

All packages containing wildlife products must be marked clearly with the name and address of both the shipper and the recipient. Information identifying the contents as fish or wildlife and specifying the quantity and species involved must accompany the shipment. Federal regulations (50 CFR Part 14, Subpart H) explain how to comply with wildlife marking requirements. See 597.

595 Permit Requirements for Wildlife and Plant Exports

Permits are required to export any of the following by mail or other means:

a. Any wildlife or plant (including parts and products) where the species is listed under CITES. A list of species protected under this treaty is maintained by USFWS at *http://international.fws.gov*.

b. Any wildlife or plant (including parts and products) where the species is listed as endangered or threatened under the U.S. Endangered Species Act. Lists of these species can be found at *www.fws.gov/endangered*.

c. Migratory birds, parts, feathers, nests, eggs, or items made from them. Permit requirements for export and numerous other protections apply to more than 700 bird species safeguarded under the Migratory Bird Treaty Act. A list can be found on the Internet at *www.fws.gov/migratorybirds/RegulationsPolicies/mbta/mbtandx.html*.

CITES-listed herbarium specimens; other preserved, dried, or embedded museum specimens; and live plant material may be exported as a noncommercial loan, donation, or exchange between registered scientists or registered scientific institutions using a CITES-authorized label instead of an export permit.

596 Obtaining and Using Permits for Wildlife and Protected Plant Exports

596.1 Export Permits

Shippers who need export permits or other documentation required under CITES or the Endangered Species Act should contact USFWS Office of Management Authority (800-358-2104) for the appropriate application forms and instructions. Some CITES-listed species also require permits from the importing country before they can be legally exported.

596.2 CITES Permit

The original CITES permit must accompany the shipment. All wildlife exports requiring a CITES permit that are shipped by mail, including personal items mailed overseas, must be declared to USFWS and made available for inspection and permit validation by USFWS wildlife inspectors. Exports of CITES-protected plants must be declared to the U.S. Department of Agriculture's Animal and Plant Health Inspection Service; permits for these shipments must be validated by that agency before export.

596.3 Export of Migratory Birds

The export of migratory birds, their parts, feathers, eggs, or nests, or products made from them, is prohibited except with a permit from USFWS. Permit applications and information are available from the regional Migratory Bird Permit Offices located in Albuquerque, NM; Anchorage, AK; Atlanta, GA; Denver, CO; Fort Snelling, MN; Hadley, MA; and Portland, OR.

597 How to Obtain Additional Information

Additional information about exporting wildlife products and protected plants can be found in the following sections of the Code of Federal Regulations (CFR):

a. 50 CFR Part 14, Importation, Exportation, and Transportation of Wildlife.

b. 50 CFR Part 23, Endangered Species Convention.

c. 50 CFR Part 24, Importation and Exportation of Plants.

These and other Federal regulations, including those governing endangered species (50 CFR Part 17) and migratory bird permits (50 CFR Part 21), may be accessed online at *http://www.gpoaccess.gov/cfr/index.html*.

Shippers may also contact USFWS wildlife inspection offices for assistance with wildlife exports. Questions about the export of protected plants should be addressed to the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. A list of Agriculture Inspection Stations and Offices appears in 723.

598 Wildlife Inspection Offices

USFWS wildlife inspection offices are located in the cities listed below. Addresses and phone numbers for these offices can be found on the Internet at *www.le.fws.gov* (click on *Contacts*).

Agana, GU	Denver, CO	New Orleans, LA
Anchorage, AK	Detroit, MI	New York, NY
Atlanta, GA	Dunseith, ND	Newark, NJ
Baltimore, MD	El Paso, TX	Nogales, AZ
Blaine, WA	Great Falls, MT	Portland, OR
Boston, MA	Honolulu, HI	San Diego, CA
Brownsville, TX	Houston, TX	San Francisco, CA
Buffalo, NY	Laredo, TX	Seattle, WA
Chicago, IL	Los Angeles, CA	Tampa, FL
Dallas, TX	Minneapolis, MN	