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Los Angeles, California

# PUBLIC BULLETIN



U.S. Customs and  
Border Protection

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**Number:** LA07-014

**Date:** June 15, 2007

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**Subject:** Submission and Processing of Entries for Seized Merchandise

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## PURPOSE

The purpose of this bulletin is to advise interested parties of changes to the procedures for entering or exporting merchandise that is being held under seizure by U.S. Customs and Border Protection (CBP) in Los Angeles. Specifically, a new entry number will be required on all entry/entry summaries filed to obtain release of seized merchandise, regardless of whether all or part of the merchandise on the original entry was seized. This bulletin supercedes Los Angeles Public Bulletin 03-029 and all other previously issued bulletins on this subject.

## ACTION

Effective immediately, the procedures set forth below will govern the entering or exporting of merchandise being held under seizure within Los Angeles Field Office jurisdiction.

### 1. General

The CBP Fines, Penalties and Forfeitures office (FP&F) determines the appropriate disposition of seized merchandise and sets the conditions for its release. Depending on the circumstances, FP&F may authorize entry of seized merchandise into the commerce of the U.S., or may require that the merchandise be exported. The conditions of release will be set forth in the FP&F decision letter and may include the payment of a mitigated amount plus storage and related charges, in addition to the filing of an appropriate entry and payment of duties, if applicable.

### 2. Entry for Consumption

- a. If FP&F authorizes the release of seized merchandise for entry into the commerce of the U.S., the broker/importer must file a duty-paid live entry/entry summary (CBP Form 7501), hereinafter referred to as a "Seizure Entry." Seized merchandise may not be released under an Entry/Immediate Delivery (CBP Form 3461), informal entry or warehouse entry.

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Los Angeles Field Office  
P. O. Box 32639  
Long Beach, CA 90832

Los Angeles/Long Beach Seaport  
301 E. Ocean Boulevard  
Long Beach, CA 90802

Los Angeles International Airport  
11099 S. La Cienega Boulevard  
Los Angeles, CA 90045

- b. The Seizure Entry must be filed at either the Los Angeles/Long Beach Seaport or Los Angeles International Airport (LAX), as appropriate, and, unless specifically noted in this procedure, in accordance with the normal procedures applicable for filing entry/entry summaries for merchandise that has not been seized. Note that Seizure Entries are not filed with the FP&F office.
- c. Seizure Entries may be transmitted via ABI.
- d. Payment of duties and fees must be made by check attached to the Seizure Entry. Seizure Entries are not eligible for statement processing or any type of electronic payment.
- e. Seizure Entries are subject to the same restrictions, requirements and programs that apply to entries of non-seized merchandise (quota, visa, VRA, etc.).
- f. The format of the Seizure Entry will be the same as that required for non-seized merchandise, with the following additional requirements:
  - i) A new entry number must be used for all Seizure Entries.
  - ii) The folder color will be the same as that used for entry/entry summaries not related to a seizure (e.g., blue for quota, green for non-quota). The phrase "SEIZURE ENTRY" must be clearly annotated on the front of the folder. The seizure number must appear immediately below this notation. The folder must be marked with all other appropriate notations normally required for an entry/entry summary for that type of merchandise.
  - iii) The seizure number must also be shown in box 25 of the Form 7501 ("Location of Goods/G.O. No.").
  - iv) A copy of the FP&F decision letter must be attached on the right side of the folder directly on top of the record copy of the Form 7501.
  - v) The Seizure Entry must include all documents normally required for a regular entry/entry summary for the same type of merchandise. If any original documents have been retained by CBP, the submission of legible, accurate and complete photocopies will be permitted. However, photocopies of textile visas, steel VRA certificates or similar documents will not be acceptable.

### 3. Export

- a. If the FP&F decision letter limits release of the seized merchandise to export only, the filer or importer must file an Immediate Export entry ('IE', type 63) on CBP Form 7512. Under certain circumstances, FP&F may, on a case-by-case basis, authorize the filing of a Transportation and Exportation entry ('T&E',

type 62), such as when the seized merchandise was imported by air at LAX but will be exported by sea through the LA/Long Beach Seaport.

- b. The phrase "DENIED ENTRY - FOR EXPORT ONLY" must be clearly annotated in the 'description' column of the Form 7512. The seizure number must appear immediately below this notation.
- c. The Form 7512 must be accompanied by all documentation normally required for the type of merchandise being exported. In addition, a copy of the FP&F decision letter must be attached directly behind the Form 7512.
- d. The Form 7512 shall be filed in the same location and under the same procedures applicable to merchandise that has not been seized.

#### 4. Processing by CBP

Seizure Entries and export documents will be processed according to the same procedures and priorities that apply for merchandise that is not seized; no priority will be given for seized merchandise. Once processing has been completed, the Seizure Entry, Delivery Authorization Document (DAD) and/or Form 7512 will be returned to the filer through normal channels.

#### 5. Release of the Seized Merchandise

- a. All conditions for release specified in the FP&F decision letter must be met before release of the seized merchandise can be authorized.
- b. Entry: After the Seizure Entry has been processed by CBP and returned, the broker or importer must present it, along with the DAD (Form 3461), to the FP&F office. As indicated in the FP&F decision letter, the broker or importer must then wait two business days before contacting the CBP Seized Property Custodian (SPC). Once the SPC has received disposition instructions from FP&F, they will advise the broker/importer that the seized property contractor will contact them directly to make arrangements for pick-up.
- c. Export: After the IE/T&E has been processed by CBP and returned, the importer/broker must present it directly to the seized property contractor storage facility (not to FP&F or the SPC).
- d. After the contractor has received the disposition order (and, for merchandise to be exported, the Form 7512), they will contact the broker or importer to make arrangements for pick-up of the merchandise.
- e. Storage and related charges must be paid directly to the contractor prior to release of the merchandise. They are not included in the amounts previously paid to FP&F and/or on the Seizure Entry. The contractor will advise the

importer or broker of the amount due and acceptable forms of payment. Neither FP&F nor the SPC can provide storage charge information; it is only available from the contractor.

## 6. Regarding the Original Entry

- a. Filers are reminded to remove seized merchandise from statement payment as soon as they are notified of the seizure. If all of the merchandise on the original entry was seized, the entry should be deleted from statement payment. If only part of the merchandise was seized, the statement should be modified so that duty is paid only on the merchandise that was authorized for released (i.e., not seized).
- b. If only part of the merchandise on the original entry was seized, filers are reminded that the entry summary and estimated duties *for the merchandise that was not seized* are due not later than 10 working days after release is authorized. Failure to file the entry summary and deposit estimated duties in a timely manner may result in the assessment of liquidated damages or other appropriate action.
- c. If duties were inadvertently paid under the original entry number for merchandise that was seized, they can be refunded by submitting the appropriate request.
  - If all of the merchandise on the original entry was seized, a refund may be obtained by filing an entry cancellation request. The procedures for entry cancellation can be found in Los Angeles Public Bulletin 06-019.
  - If only part of the merchandise on the original entry was seized, a refund may be obtained by filing a Post Entry Amendment (PEA) or Supplemental Information Letter (SIL).

Questions regarding this bulletin may be directed to Delia Crawford, Entry Chief, LA/Long Beach Seaport, at (562) 366-5406, or Jorge Garcia, Supervisory Import Specialist, LAX, at (310) 215-2242.

[Signed]  
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Los Angeles