



Using the Automated Commercial Environment (ACE) to Submit Import Data For FWS Regulated Commodities

June 22, 2020

Overview

- ACE Implementation Timeline
- FWS Requirements and FWS HTS Flags
- FWS PGA Message Set
- Tips for Trade



FWS Message Set Implementation

- U.S. Fish and Wildlife Service Implementation Guide: final version published in December 2019
- Limited Pilot: April 6th, 2020 – July 6th, 2020
- Expanded Pilot: starting July 6th, 2020
 - Open to all ACE Filers
 - Filing open to all FWS Designated Ports and at non-Designated POE's if authorized under a valid FWS Designated Port Exception Permit (port specific)
 - FWS HTS Flags enforced with a “warning” severity
- Proposed Rule pending – to include filing FWS data through ACE
- Final Rule published - enforcement of FWS HTS Flags will be fully implemented
 - Filers using ACE must enter FWS data (or disclaim)



FWS Declaration Requirements

- In general all wildlife (live, parts, and products) require FWS declaration and clearance per 50 CFR 14.
- Currently declared to FWS using FWS electronic filing system (eDecs) or through paper filings.
- Filing FWS Message Set through ACE will now be another option.
- ACE filers must have an eDecs filer account (which must be included in the message set)
- ACE filers must have a corporate account set up with FWS – monthly payments through eDecs
 - Filers must contact the LEMIS Help Desk to set up a new corporate account
- Required supporting documents can be provided via paper or DIS
 - Original permits must be submitted via paper



DIS Submissions

- One PDF file containing all required FWS documents
- Document Label Code: **FWS_SUPPORTING_DOCS**
- DocCode: **FWS02**



FWS Data Filing Methods and HTS Flags

- EDS (Entire Data Set) – full Message Set
- LDS (Limited Data Set) – PG01, PG02, PG14 with LPCO “FWC” (eDec confirmation number)
- Disclaimers
 - C – filing through eDecs after ACE submission
 - D – filing via paper declaration
 - E – commodity does not require FWS declaration and clearance

| HTS Flags | 268 | FWS Data | Disclaimer |
|-----------|-----|---------------------|------------|
| FW1 | 133 | Data Maybe Required | C,D,E |
| FW2 | 75 | Data Required | None |
| FW3 | 58 | Data Required | C,D |

- automotive leather parts; HTS 9401901010 - **Not a FWS flag**





**U.S. FISH AND WILDLIFE SERVICE
 DECLARATION FOR IMPORTATION
 OR EXPORTATION OF
 FISH OR WILDLIFE**

Carrier name in CBP

1. Date of Import/Export: (mm/dd/yyyy)
PG-30

2. Import/Export License Number:
PG-14

3. Indicate One: Import Export

4. Port of Clearance: Port of Entry Code in **CBP Header Data**

5. Purpose Code: **PG-01**

6. Customs Document Number (s)
Entry number

7. Name of Carrier: **Header data/associated bills**

8. Air Waybill or Bill of Lading Number:
 Master: **Identification ID in CBP Header Data**
 House: _____

9. Transportation Code:
Transport mode in CBP Header data
License # State or Province

10. Bonded Location for Inspection:
PG-30

11. Number of Cartons Containing Wildlife:
PG-17

12. Markings on Cartons Containing Wildlife:
PG-24

13a. (Indicate One) (Complete name/U.S. address/telephone number/e-mail address)
 U.S. Importer
 U.S. Exporter
PG-19 - name
PG-20 - address
PG-21 - email and/or phone

13b. Identifier Number: _____ ID Type: _____

14a. (Indicate One) (Complete name/foreign address/telephone number/e-mail address)
 Foreign Importer
 Foreign Exporter
PG-19 - name
PG-20 - address

14b. Country Code
PG-20

14c. Identifier Number: _____ ID Type: _____

15a. Customs Broker, Shipping Agent or Freight Forwarder:
 (Complete business name/address/telephone and fax number/e-mail address)
PG-19
PG-21 - email and/or phone

15b. Identifier Number: _____ ID Type: _____

15c. Contact Name: _____

| Species Code (Official Use Only) | 16a. Scientific Name | 17a. Foreign CITES Permit Number | 18a. Description Code | 19a. Quantity/Unit | 20. Country of Species Origin Code (ISO Code) | 21. Venomous Live Wildlife Indicator <input type="checkbox"/> (Check if yes) |
|----------------------------------|----------------------|----------------------------------|-----------------------|---------------------------|---|--|
| | 16b. Common Name | 17b. U.S. CITES Permit Number | 18b. Source Code | 19b. Total Monetary Value | | |
| | PG-05 | PG-14 | PG-05 | PG-29 | PG-06 | PG-17 |
| | PG-17 | PG-14 | PG-10 | PG-25 | | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> |

Knowingly making a false statement in a Declaration for Importation or Exportation of Fish or Wildlife may subject the declarant to the penalty provided by 18 U.S.C. 1001 and 16 U.S.C. 3372(d)

22. I certify under penalty of perjury that the information furnished is true and correct:

For Official Use Only
 Action/Comments:

PG-22 Signature
PG-22 Date

 Type or Print Name

FWS PGA Message Set Data Elements



Mandatory Data Elements: EDS Processing Code

- PG01 – Intended Use Code
 - PG14 LPCO Type “FWL” and LPCO Number are mandatory for:
 - M= Biomedical
 - T= Commercial
 - Q= Traveling Exhibition
- PG02 – “P” (products)

- “010.000” (assigned to FWS Purpose Code T=Commercial)
- “020.001” (assigned to FWS Purpose Code B=Breeding)
- “035.001” (assigned to FWS Purpose Code Y=Re-introduction)
- “100.007” (assigned to FWS Purpose Code H=Hunting)
- “100.008” (assigned to FWS Purpose Code P=Personal)
- “110.001” (assigned to FWS Purpose Code Z=Zoological)
- “110.002” (assigned to FWS Purpose Code Q=Traveling Exhibition)
- “110.003” (assigned to FWS Purpose Code G=Botanical Garden)
- “130.035” (assigned to FWS Purpose Code T=Commercial)
- “180.001” (assigned to FWS Purpose Code M=Biomedical)
- “180.002” (assigned to FWS Purpose Code S=Scientific)
- “180.003” (assigned to FWS Purpose Code E=Educational)
- “210.000” (assigned to FWS Purpose Code P=Personal/Non-commercial)
- “220.000” (assigned to FWS Purpose Code Q=Traveling Exhibition)
- “230.000” (assigned to FWS Purpose Code T=Commercial)
- “250.000” (assigned to FWS Purpose Code T=Commercial)
- “920.003” (to be assigned to FWS Purpose Code T=Commercial)
- “920.004” (assigned to FWS Purpose Code M=Biomedical)
- “920.005” (assigned to FWS Purpose Code S=Scientific)
- “920.006” (assigned to FWS Purpose Code E=Educational)
- “920.007” (assigned to FWS Purpose Code P=Personal)
- “980.000” (allowed only for FWS Purpose Code L=law enforcement / judicial / forensic)



Mandatory Data Elements: EDS Processing Code

PG05 – FWS Wildlife Description Codes

| Code | Name |
|------|--|
| BAL | Baleen |
| BAR | Bark (raw, dried, powdered, unprocessed) |
| BOC | Bone product or carving |



| Code | Name |
|------|-------------------------------------|
| BOD | Dead animal (whole animal) |
| BON | Bone (including jaw, but not skull) |

| | |
|---------|---|
| LIV | Live specimen |
| LIVA100 | Live specimen and Intergeneric hybrid (cross between two genera) |
| LIVA103 | Live specimen and Interspecies hybrid (cross between two species) |

- PG05 –
 - Scientific Name
 - FWS Description Code (Appendix PGA)

❖ NOTE: repeated if a hybrid

¹ Only one genus/species/subspecies set per PGA line allowed except when PG05 FWS Description Code ends with “A100” for Intergeneric or “A103” for Interspecific in which case the record must be repeated (each record showing one of the parents of the hybrid cross).

Hybrid Example: Felis catus x Prionailurus bengalensis bengalensis (Bengal cat hybrid)
 PG05 Felis catus
 PG05 Prionailurus bengalensis bengalensis
 PG17 Bengal Cat



Mandatory Data Elements: EDS Processing Code

- PG06 – Species Country of Origin
 - (ACE CATAIR PGA Message Set)

A two-letter ISO code that identifies the country where the specimen of animal was taken from the wild or born.

For shipments of wildlife (sea turtles, fish, etc.) that are, or were, landed (introduced) after harvest on the high seas, enter ZZ.

- PG10 – Commodity Qualifier Code

A code indicating the FWS source of the animal.

- “W” = Specimens taken from the wild (including feral)
- “R” = Specimens originating from a ranching operation (for FWS CITES purposes-specimens of animals reared in a controlled environment, taken as eggs or juveniles from the wild)
- “F” = Animals born in captivity from parents that mated in the wild. For FWS CITES Purposes- animals that do not qualify as “bred in captivity” under CITES
- “P-2” = Pre-convention specimens (FWS source code ‘O’)
- “U-6” = Source unknown (FWS source code ‘U’)
- “C” = Animals bred in captivity (from parents that mated in captivity)
- “I” = Confiscated or seized specimens
- “D” = Applies only to CITES Appendix I animals commercially bred in CITES registered facilities
- “X” = Specimens taken on the high sea



Mandatory Data Elements: EDS Processing Code

- PG14 – LPCO Type and Number
 - “FWL” – Import/Export License
 - M= Biomedical
 - T= Commercial
 - Q= Traveling Exhibition
 - “DPE” – Designated Port Exception Permit
 - “FWF” - Foreign CITES Permit
 - “FWU” – U.S. CITES Permit
 - “FWP” – U.S. Protected Species Permit (Ex. ESA, MBTA)



Mandatory Data Elements: EDS Processing Code

- PG17 – Species Common Name
 - General (ex. Cat)
 - Specific (ex. Bengal)
- ❖ NOTE: One PG17 record for Hybrid species
- PG17 – Venomous Indicator (“Y” or “N”)
 - PG05 FWS Description Code= LIV, LIVA100, or LIVA103
- PG17 – Cartons Containing Wildlife

Hybrid Example: Felis catus x Prionailurus bengalensis bengalensis (Bengal cat hybrid)

PG05 Felis catus

PG05 Prionailurus bengalensis bengalensis

PG17 Bengal Cat

Indicates the total quantity of cartons containing wildlife associated with the CBP entry.

The total numeric quantity must be the same, per FWS line.



Mandatory Data Elements: EDS Processing Code

- PG19 – Entity Role Code
 - “FWI” – Importer
 - “FWE” – Exporter
 - “CB” – Customs Broker
- PG19 – Entity Identification Code
 - “78” – Entity filing the ACE entry
 - FWS eDecs filer account number

NOTE: If the importer is in the FWS Low Risk Exemption Fee Program, the importer’s filer account, not the broker filer account, must be used.



Mandatory Data Elements: EDS Processing Code

| Entity | Name | Address | City | State/Province | Country | Zip/Postal Code | Individual Name | Phone | Email |
|--------|------|---------|------|----------------|---------|-----------------|-----------------|-------|-------|
| FWI | X | X | X | X | X | X | (x) | (x) | (x) |
| FWE | X | X | X | | X | | | | |
| CB | X | | | | | | X | X | X |



Mandatory Data Elements: EDS Processing Code

- PG22 – Certification
 - Entity Role Code: “FWI”
 - Declaration Code: “FW3” (Appendix PGA)

| | | |
|-----|---|--|
| FW3 | Certification Statement (FWS Message Set data (Form 3-177)) | I certify under penalty of perjury that the data submitted is true and correct. I understand that knowingly making a false statement may subject me to penalties provided by 18 U.S.C. 1001 and 16 U.S.C. 3372(d). |
|-----|---|--|

- Declaration Certification: “Y”
- Date



Mandatory Data Elements: EDS Processing Code

- PG25 – U.S. Dollar Value
- PG29 – Unit of Measure

- “NO” = Number (individual units)
- “CM” = Centimeters
- “CM2” = Square centimeters
- “CM3” = Cubic centimeters
- “M” = Meters
- “M2” = Square meters
- “M3” = Cubic meters
- “L” = Liters
- “G” = Grams
- “MG” = Milligrams
- “KG” = Kilograms
- “ML” = Milliliters

- PG29 – Quantity

All quantities should include two decimal places and all positions (8-19) should have data present.

Example: 3 units = 000000000300

- PG30
 - Inspection Status: “I”
 - Date of arrival into U.S. jurisdiction
 - Inspection Location



Entry Type 06 - FTZ

- FWS regulated commodities must be declared upon arrival into the U.S.
- FWS Data submitted via eDecs
- LDS Processing Code
 - LPCO Type: “FWC”
 - LPCO Number: eDec confirmation number, “VARIOUS”, “UNKNOWN”



CBP Event Messages used by FWS

- Under Review – 03 “Data Received”- when eDec is generated
- Reject 04
- May Proceed 07/50
- May Proceed 07/35 – new version ignored by FWS
- Hold Intensive 11/34 – Physical Inspection
- Resolve Intensive 11/34
- Hold Intensive 11/45 - Refusal
- Hold Intact – Document Request, Exam/Inspection (after shipment released)



3 Day Rule

- ❖ *ACE Cargo Release (SE) Replacements or PGA Corrections (CA) for FWS entries are only allowed when the FWS status on the submitted entry is “Rejected”, or if CBP has not yet sent the data to FWS.*
- ❖ *CBP sends the data to FWS 3 days prior to the anticipated arrival date in the PG30.*

- ❖ **NOTE:** Updates are allowed anytime.



If an entry is “rejected” by FWS

- Revisions of FWS data are allowed:
 - Filer can Replace the entry (using ‘update action code’ = R, in the SE transaction), without CBP approval.
 - Filer can file a CA transaction if they only need to change PGA data (a CA does not need approval by CBP).

If an entry is “may proceeded” by FWS

- Filer should **not** submit an SE Replace/Update, or submit a CA transaction to change FWS data
 - A CA may be submitted to change another PGA’s data. If a CA is submitted to change FWS data, it will be rejected.
- Filer should cancel the existing entry and submit a new entry if changing any FWS data
- ❖ If filer submits an SE U or R anyway, FWS will expect that it’s data for this entry did not change and a May Proceed will be sent.

Tips for Trade

When/How to revise FWS data after submission



If a Filer cancels an entry with FWS data

- *EDS (entire data set) processing code submission will Delete the generated electronic Form 3-177 in the eDec system*
- *LDS (limited data set) processing code submission will Delete the filed electronic Form 3-177 in the eDec system, if the ‘cancelled’ entry number is listed in box 6 of the eDec*
 - ❖ **NOTE:** *To keep the existing eDec, the Filer should log in to eDecs and enter the ‘new’ entry number associated with the shipment*

If a Filer cancels an entry that has been “may proceeded” by FWS:

- *EDS (entire data set) processing code submission – Filer must contact FWS Inspection Office to manually delete the “Cleared” eDec*
- *LDS (limited data set) processing code submission – Filer must contact FWS Inspection Office to manually delete the “Cleared” eDec*

Tips for Trade

Cancelling an Entry



- File per entry
 - EDS, LDS, disclaimer C, or disclaimer D
 - Any entry using multiple methods to report FWS would cause an automatic reject
- LDS should only have one eDec confirmation number on each PGA line and it should be the same per entry
 - Except Entry Type 06 allows multiple numbers on each PGA line, however all lines must be the same
- Disclaimer E is the only PG01 record that can be sent with EDS, LDS, disclaimer C or disclaimer D on different PGA lines in the same entry

Tips for Trade

Multiple PGA Line Submissions



- Filer cannot access the species lookup in ACE
- General species codes are allowed in FWS message set

➤ Examples:

- NON-CITES BUTTERFLIES
- TROPICAL FISH
- MOLLUSC
- CRUSTACEANS

| Genus | Species | Subspecies | Common Name |
|----------------|---------|------------|--------------------|
| NONNULA | SPECIES | | NUNLET |
| NONCITES ENTRY | | | AMPHIBIANS |
| NONCITES ENTRY | | | BIRD |
| NONCITES ENTRY | | | NON CITES |
| NONCITES ENTRY | | | CORAL |
| NONE | NONE | NONE | NONE NONE |
| NONCITES ENTRY | | | FISH |
| NONCITES ENTRY | | | INSECTS |
| NONCITES ENTRY | | | ARACHNIDS |
| NONCITES ENTRY | | | CRUSTACEAN |
| NONCITES ENTRY | | | MAMMALS |
| NODIPECTEN | NODOSUS | | LION'S PAW SCALLOP |
| NONCITES ENTRY | | | REPTILES |
| NONCITES ENTRY | | | MOLLUSCS |
| NONCITES ENTRY | | | OTHER INVERTEBRATE |

| Genus | Species | Subspecies | Common Name |
|---------------|-------------------|------------|-------------|
| TROPICAL FISH | (FRESHWATER SPP.) | | |
| TROPICAL FISH | (MARINE SPP.) | | |

Tips for Trade

General species categories



Questions...

