

U.S. Census Bureau

The Official Statistics



**INTERNATIONAL TRADE
STATISTICS** *YOUR KEY TO TRADE*

U. S. C E N S U S B U R E A U

Foreign Trade Statistics Regulations

15 CFR Part 30

Exporter/Forwarding Agent Responsibilities

Power of Attorney Provisions

Foreign Trade Division

U.S Department of Commerce

MISSION OF FOREIGN TRADE DIVISION

- **Title 13 U.S.C. Chapter 9. Collection and Publication of Foreign Commerce and Trade Statistics**
- **The Secretary is authorized to collect, compile and publish information pertaining to exports and imports.....**



FTSR/EAR REGULATORY OBJECTIVES

- **FOREIGN TRADE STATISTICS REGULATIONS**
 - Accurate trade statistics
 - Clarify provisions for completing the SED/AES record
- **EXPORT ADMINISTRATION REGULATIONS**
 - Export control
 - Simplify export clearance



WHO IS THE EXPORTER EAR.....FTSR

- EXPORT CONTROL (EAR)
 - U.S. principal party in interest **OR....**
 - Forwarding or other agent of a principal party

- STATISTICS (FTSR)
 - U.S principal party in interest **ONLY**
 - Not a forwarding or other agent



TYPES OF TRANSACTIONS

- **EXPORT TRANSACTION** -- The U.S. principal party in interest takes on most or all of the export reporting and documentation responsibilities.
- **ROUTED EXPORT TRANSACTION** -- The foreign principal party in interest authorizes a U.S. forwarding or other agent to facilitate export of items out of the country.



WHO GOES IN BOX 1(A) ON THE SED

The **U.S. Principal Party in Interest** - The U.S. principal party in interest is the person in the United States that receives the primary benefit, monetary or otherwise, of the export transaction.

GENERALLY THAT PERSON CAN BE THE:

- U.S. **Seller** (wholesaler/retailer/vendor) of the merchandise for export.
- U.S. **Manufacturer** (if selling merchandise directly for export)
- U.S. **Order Party** (U.S. party who negotiated with the foreign principal and received the order for the merchandise);
- A **Foreign person/entity** (if in the U.S. when signing the SED)



U.S. PRINCIPAL RESPONSIBILITIES

Export Transaction

- Prepare the Shipper' Export Declaration (SED)
OR....Authorize a Forwarding Agent to Prepare the SED with a power of attorney, a written authorization, or by signing the authorization on the paper SED.
- If authorizing a Forwarding Agent....Provide information to the Forwarding Agent for completing the SED.
- Maintain documentation to support the information reported on the SED.



FORWARDING AGENT RESPONSIBILITIES

Export Transaction

- Prepare the SED based on information received from the U.S. principal party in interest or other parties in the transaction.
- Obtain a power of attorney, written authorization, or signed authorization on the paper SED from a principal party in interest.
- Provide the U.S. principal party in interest with copy of the export information filed in the form of a completed SED, electronic facsimile, or in manner prescribed by the U.S. principal party in interest.
- Maintain documentation to support information reported on the SED.



U.S. PRINCIPAL RESPONSIBILITIES

Routed Export Transaction

- Provide basic commodity information to the Forwarding Agent for completing the SED, including exporter name, EIN, and Schedule B number.
- Maintain documentation to support the information reported on the SED.
- [Note: In a routed export transaction the U.S. principal party in interest is not required to provide the forwarding agent with a power of attorney for preparing the SED].



FORWARDING AGENT RESPONSIBILITIES

Routed Export Transaction

- Prepare, sign, and file the SED based on information obtained from the U.S. principal and/or other parties involved in the transaction.
- Obtain a power of attorney or written authorization from the foreign principal party in interest to act on their behalf in the transaction.
- Maintain documentation to support information reported on the SED.



Power of Attorney Or Written Authorization

- A power of attorney is a legal authorization whereby a principal party in interest authorizes a forwarding agent to act on their behalf in preparing the SED, filing the AES record, and facilitating the export of merchandise out of the United States.
- A principal party in interest can authorize a forwarding agent in one of three ways:
 - 1) a power of attorney
 - 2) a written authorization OR....
 - 3) signing the authorization on the paper SED
- A power of attorney should specify the responsibilities of the parties and should state that the forwarding agent has authority to act on behalf of a principal party in interest as their legal agent in accordance with the laws and regulations of the United States.



For Additional Information

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