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Notes



SIX QUESTIONS

that Exhibitors Should Ask Before Shipping to an International Trade Show

By Michelle Bruno

The 9/11 disaster changed the landscape for companies shipping to and from international trade shows. While the emphasis for importers has been on security, the focus for exporters has been on preventing terrorism. Although exhibition goods fall into a special category of exports—the buyer may be unknown before the show, a buyer may emerge during the show, or the goods may be re-exported after the show—exhibiting companies are still subject to the same export regulations as commercial exporters. Here are six questions that every U.S. exhibitor should ask before shipping to an international trade show.

Do we need an export license?

Most exports do not require export licenses, however, a small percentage of products with “dual use” (commodities, software, and technologies normally used for civil purposes that may also have military applications), products used for defense, high technology, nuclear materials, controlled substances, or biological materials may require licenses. It is up to the exporter to determine whether the product requires a license and to per-

form “due diligence” regarding the transaction. Exporters must determine which federal department or agency has jurisdiction over the item they are planning to export in order to find out if a license is required.

Is the buyer on a list of parties prohibited from receiving U.S. goods?

Certain individuals and organizations are prohibited from sending and receiving U.S. exports. Others may only receive goods if the transaction has been licensed. There are various lists including the Denied Persons List, Unverified List, Entity List, Specially Designated Nationals List, and Debarred List that may be relevant to the export or re-export transaction.

Who is the end-user?

For international trade shows there is often no end-user (other than the U.S. exhibitor) or the end-user is determined during the exhibition. Exhibiting companies are not relieved of their responsibilities of meeting export requirements in either of these cases. The exhibitor may not be able to ship the items without a license or the goods may not be released to the foreign buyer unless they have met the requirements for

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U.S. exports. The U.S. Department of Commerce offers a list of some of the “red flags” that could indicate the end-user is not authorized to receive U.S. Goods.

Is the destination country on a list prohibited from receiving U.S. goods?

Most international trade shows are held in countries where the U.S. has normal business relations. However, unknown buyers can still appear at the show with nefarious intentions. In these cases U.S. companies must remain vigilant about the ultimate destinations of goods they intend to offer for sale. Comprehensive sanctions programs prohibit exports to Burma (Myanmar), Cuba, Iran and Sudan. Other non-comprehensive programs prohibit some exports to the Western Balkans, Belarus, Cote d'Ivoire, Democratic Republic of the Congo, Iraq, Liberia (Former Regime of Charles Taylor), Persons Undermining the Sovereignty of Lebanon or Its Democratic Processes and Institutions, North Korea, Sierra Leone, Syria, and Zimbabwe.

Does our company qualify as a Known Shipper?

In order to ship goods over 16 ounces on passenger aircraft, exporters must qualify as “Known Shippers.” If the exporter is not a Known Shipper, the cargo can only be transported via airfreight on cargo only aircraft. To become a Known Shipper, a Known Shipper Application must be submitted prior to shipping by air to the Transportation Security Administration (TSA).

Once the submitted application is approved, TSA will conduct an inspection of the shipper’s premises. Only companies domiciled in the U.S. can qualify to be a Known Shipper. This distinction is important for late or last minute shipments to the show via air freight.

What are the country specific requirements for our product?

Depending on the ultimate destination of the goods (including the country where the exhibition is held), certain country specific regulations may apply. Some of the requirements cover documents such as certificates of origin, free sale, fisheries, fumigation, health, dangerous goods, radiation, inspection, and weight. Some countries require various types of pre-shipment inspections. Most countries will not accept shipments packaged in wood materials that have not been fumigated. Exhibitors are responsible for determining what compliance is necessary although an international freight forwarder can provide a great deal of assistance.



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Look for an email with the details.

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