



June 23-25, 2024 – New York Jacob Javits Center

International Shipping & U.S. Customs Guidelines©



PIBL

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*Providing Foreign Supplier Verification Programs
for the Food Trade Show Industry
Official FSVP Importer to Fancy Food Show*

TABLE OF CONTENTS

Introduction	4
U.S. Customs Clearance Process & Power of Attorney	4
Types of U.S. Custom’s Entries	5
Consignment Information	5
Ocean and Air Freight Arrival Deadlines	6
U.S. Customs Duty and Processing Fees	7
Required Customs Documentation	7
Commercial Invoice Requirements	8
FDA Entry Requirements	9
Requirements for Food and Beverages	10
FSVP (Foreign Supplier Verification Program)	11
FDA Food Facility Registration	13
Prior Notice of Imported Food Shipments	14
Food Labeling Requirements	15
Import of Fresh Produce	16
Acidified and Low Acid Canned Foods	17
Meats, Poultry, Eggs and Seafood	17
Cheese, Milk, Butter, Ice Cream and Dairy Products	19
Alcoholic Beverages	20
Import Security Filing (10+2) Rule	21
Restrictions on Wood Packaging Material	22
Marking of Packing Material (Pallets/Crates)	23
Perishable Shipments	24
California Proposition 65	25



FCL - Full Container Load Ocean Shipments	26
LCL - Less than Container Load Ocean Shipments	27
U.S. Custom's Container Seal Requirements	27
Insurance	28
International Courier/Small Package shipments	29
Outlays and Payment Conditions	29
Important Deadline Checklist for Exhibitors	30

Attached Forms:

- A) Import Freight Information Sheet**



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INTRODUCTION

Phoenix International Business Logistics, Inc. (PIBL) has been appointed the Official International Freight Forwarder / U.S. Customs Broker for 2024 Fancy Food Show.

Our Affiliate The Radius Group, Inc. has been appointed the Official Foreign Supply Verification Program (FSVP) Importer for 2024 Fancy Food Show.

Together, we strive to offer each exhibitor exemplary service in concert with our overseas partners. By using PIBL's international network of overseas agents, your company can derive these benefits:

- Alleviate potential transport and customs clearance problems and insure your exhibit is delivered on time.
- Increase the efficiency and reliability of the entire transportation process.
- By establishing an account with a PIBL overseas agent, all charges for our services incurred in the U.S. can be invoiced directly to you through our overseas agent. Otherwise, payment for our services must be collected from the exhibitor (or their freight forwarder) prior to the delivery of your shipment to the show site.
- PIBL will coordinate the customs clearance of your inbound freight through U.S. Customs and Border Protection (CPB) and will arrange timely delivery to the show site.
- Our licensed personnel are on-site before, during, and after the show to answer questions about customs clearance and to assist you with the re-exportation or other disposition of freight after the show closing.

Exhibitors not knowledgeable on the U.S. Import requirements of their specific products are encouraged to contact PIBL 60-90 days in advance. For a consulting fee, PIBL and our team of consultants will research the requirements and consult on all documents required for clearance and release by the various Government agencies.

Should you have any questions regarding transportation or U.S. Customs, we invite you to contact us at our address on the first page. If you have any questions regarding the Foreign Supply Verification Program, please contact our affiliate The Radius Group Inc. at info@theradiusgroupinc.com

U.S. CUSTOMS CLEARANCE

All shipments arriving in the U.S. require clearance from U.S. Customs prior to release from the port, airport or terminal. In order for PIBL to affect customs clearance on your behalf, you must identify the importer of record under which PIBL can prepare the customs entry. This importer of record can either be a U.S. resident company or an overseas non-resident company.

What PIBL Needs to Act as Your Customs Broker

1. Completed U.S. Customs Power of Attorney Form (available upon request)
2. Import Freight Information Sheet (attached) - return by facsimile or email to the PIBL coordinating office. If needed, consult with our overseas agent on how to complete this form.
3. Contact name and phone number

Note: Customs clearance will take approximately 2-3 days. During this time, the freight must remain under customs supervision at the port of entry and under no circumstances can it be delivered to the show site.

About The Power Of Attorney

The PIBL coordinating office must be in possession of your Power of Attorney either 48 hours prior to export of seafreight shipments, in order to file the importer security notice with U.S. Customs or immediately upon export of airfreight shipments. It is the exhibitor's responsibility to make available to PIBL all appropriate documentation for customs clearance. **Failure to do so may result in late filing fees and surcharges and/or late delivery to the show site.**

Blank Power of Attorney forms are available upon request.

Timely Deliveries

Although PIBL will do everything possible to insure all shipments are delivered in time for the show, we cannot be held responsible for late or delayed delivery of freight due to the exhibitor's failure to follow the provided procedures.



TYPES OF U.S. CUSTOMS ENTRIES

Permanent Entries

Permanent Customs entries are reserved for those Exhibitors who are expecting their freight to permanently remain in the United States. U.S. Duty and other applicable processing fees will apply. Shipments with duty liability of less than \$250.00 are automatically cleared as a permanent entry. All give-away items, food, beverage, etc., are considered consumables and are therefore unable to be cleared under a temporary entry. Accordingly, these items are automatically cleared as a permanent entry.

Temporary Entries

High value exhibits imported with the intention to be re-exported after the show can be cleared on a temporary duty free (TIB) entry. TIB entries should only be utilized for exhibits intended for re-export in the same condition and quantity in which they were imported. TIB merchandise entered into the U.S. and not exported is subject to U.S. Customs penalties and fines.

**** IMPORTANT NOTE ****

It is recommended that merchandise intended for temporary or permanent entry into the U.S. NOT be packed and shipped together. U.S. Customs will not accept one customs entry for both permanent and temporary freight. We suggest that such freight be packed and shipped independently under separate commercial invoices and house bill of ladings. Questions on this subject can be forwarded to PIBL or our overseas agents.

CONSIGNMENT INFORMATION

Please insure that your shipments are sent on a prepaid basis, marked and consigned as follows.

Consignee

Name of exhibiting company
C/O 2024 Fancy Food Show /Booth # _____
Jacob Javits Center
655 West 34th Street
New York, NY 10001

Notify

Phoenix Int'l Business Logistics, Inc (PIBL)
1201 Corbin Street
Elizabeth, NJ 07201
Attn: Phil Hobson /Sally Mulkeen
Phone 908.355.8900 Fax 908.355.8883

OCEANFREIGHT/AIRFREIGHT ARRIVAL DEADLINES

Ocean Freight (FCL): Port Newark/Elizabeth	June 10, 2024
Ocean Freight (LCL): Port Newark/Elizabeth	June 3, 2024
Air Freight: JFK or Newark Airport	June 10 2024

The above arrival dates should be used as a guideline only for most products. Special consideration should be given to specialty food items such as, perishable shipments, meats and cheeses that may take longer to clear Customs, FDA and USDA. Estimated Time of Arrivals (ETA) for such shipments will be provided upon review of the proforma commercial invoice. To insure timely delivery to show site, we recommend that all shipments arrive in the U.S. by the final confirmed deadline dates. Shipments arriving on Friday or Saturday may result in additional weekend airline storage charges. PIBL will not charge intermediate storage in our contracted warehouse for airfreight or LCL seafreight shipments of dry food that have arrived and are customs cleared within the above provided time frames. It is the responsibility of the exhibitor to inform PIBL of their desired move in date. If PIBL is not informed of a specific move in date request, your shipment will be delivered on the scheduled move in dates. From time to time PIBL expects to issue transportation advisories to its corresponding overseas agents advising of events believed to impact show arrival logistics.

Demurrage, per diem and chassis charges for full containers during the time period between arrival and delivery to showsite must be negotiated with the steamship lines in the country of origin. If arrangements have not been made and confirmed in writing by the steamship lines, PIBL will invoice container and chassis demurrage and per diem charges directly to the Agent or Exhibitor. *Freight arriving after the above dates will be charged additional fees based on services required to ensure timely clearance and delivery of your shipment to the show.* It is imperative that the coordinating PIBL office be pre advised of all shipments prior to export from the country of origin. If the above deadlines can not be met, please advise our office immediately so we can make arrangements to expedite the customs clearance and delivery of your shipment



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U.S. CUSTOMS DUTY AND PROCESSING FEES

Merchandise entered into the Commerce of the United States is subject to duty, merchandise processing fees and, if imported via sea freight, a harbor maintenance fee. These duties/taxes will be estimated and invoiced by PIBL in accordance with the description provided on your commercial invoice.

Duty - Based on commodity description and rate of duty

Merchandise processing fee - 0.3464% of FOB value (maximum USD\$ 528.33) Sea & Air

Harbor Maintenance fee - 0.125% of FOB Value - (No maximum) Sea freight only

REQUIRED CUSTOMS DOCUMENTATION

The following documents must be provided for Customs clearance:

- Bills of lading or Airway bills. (*Express release Bills of lading only*)- **No Originals.**
- Signed Commercial/Proforma invoices in English, giving exact commodity description with Harmonized number, unit value and total value. ("NO COMMERCIAL VALUE" shown on Invoices is not accepted by U.S. Customs)
- Completed and Signed Import Freight Information Sheet (Attached)
- Packing list in English (May be combined with the commercial invoice)
- Customs Power of Attorney (copies available upon request) Not required if you have worked with PIBL previously.
- For Food Shipments. Evidence of acceptance of Appointment of FSVP Importer with applicable company name, address, contact name, email address, phone number, and DUNS # to be filed with Customs or written letter providing basis of exemption from the FSVP requirement.
- Any other applicable documents, licenses, insurance certificates
- Other Applicable documents based on commodity (PIBL to advise after review of the commercial invoice)



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COMMERCIAL INVOICE REQUIREMENTS

In addition to meeting the requirements of U.S. food regulations including food facility registration, importers must follow U.S. import procedures as well as the requirements of Prior Notice. The import procedure starts with a properly completed commercial invoice. Each commercial invoice must include the following information in English. **Please contact PIBL for a copy of the preferred invoice format.**

We strongly urge you to prepare and email a proforma commercial invoice to PIBL 60 days in advance of the show. This will allow PIBL staff time to review the invoice, advise you of any restrictions on items you intend to ship, and allow you time to respond to our questions and comments.

Buyer on the Commercial Invoice:

Name of exhibiting company
C/O Fancy Food Show 2024 /Booth # _____
Jacob Javits Center
655 West 34th Street
New York, NY 10001

- Manufacturer's name and address for each product / Brand Name / FDA Registration number
- Exhibitors with products from multiple manufacturers should prepare a separate invoice for each manufacturer.
- Canning establishment codes for canned items
- Name of exhibitor C/O Fancy Food Show 2024 (Exactly as consignee on bill of lading)
- Clear Description of the merchandise, harmonized tariff schedule (HTS) number and value of each product. . (Refer to: <https://www.usitc.gov/tata/hts/bychapter/index.htm>)
- FDA Product code (Refer to: <https://www.accessdata.fda.gov/scripts/ora/pcb/index.cfm>)
- Size and type of packing for each individual item
- Gross and net weight of each material
- Value and dimensions of material
- List of ingredients by weight of material
- Country of origin of each item

FDA ENTRY REQUIREMENTS

All imported shipments of FDA-regulated products are reviewed by FDA and must comply with the same food safety and labeling standards as domestic products. FDA determines whether products are admissible into U.S. commerce and may refuse entry to any that violate or appear to violate any provisions of the United States Federal [Food Drug and Cosmetic Act \(FD&C Act\)](#) (abbreviated as FFDCA, FDCA, or FD&C), a set of laws passed by Congress in 1938 giving authority to the U.S. Food and Drug Administration (FDA) to oversee the safety of food, drugs, and cosmetics.

FDA regulates a variety of products including: food, medical products (such as drugs, devices, and biological products), radiation-emitting electronic products, animal feed, tobacco products, and cosmetics. Each FDA-regulated commodity is subject to specific regulations, which exhibitors should be aware of when importing products into the United States. For more information visit the regulated products page found at the web site set forth below:

<https://www.fda.gov/ForIndustry/ImportProgram/ImportBasics/RegulatedProducts/default.htm>

To avoid customs clearance delays and additional expenses, exhibitors must adhere to FDA procedures and documentation requirements. Special attention should be given to the registration, advance notification, and labeling requirements for all food products.

For FDA regulated non compliant products, it may be possible to request release of the products, through the FDA district office, for the sole purpose of exhibiting at the show. If approved, the FDA will require a placard or sign at the point of display advising that the product may not be in compliance with applicable FDA regulations. A sample of the sign follows:

“This article is for display purposes only and not for sale, use or general consumption because it may not be in compliance with applicable regulations of the U.S. Food and Drug Administration.”

Exhibitors whose products are found to be non compliant and who fail to display the sign are subject to a fine and possible seizure of the product.



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REQUIREMENTS FOR FOOD AND BEVERAGES

FDA, USDA, TTB and Customs closely monitor the import of food and beverage products into the commerce of the United States. Specifically the Import of meats, seafood, cheeses, pasta, produce, pates and alcoholic beverages. Exhibitors intending to ship such items are encouraged to provide PIBL of the specific products as much as 90 days in advance of export or no later than **April 10, 2024**. As much time as possible should be provided PIBL for review and approval of commercial invoices for food and beverage products.

When informing PIBL of your product, please include the following information:

- ❖ Show name and date
- ❖ Exhibitor name and booth number - Mode of Transport
- ❖ Description of the product in English
- ❖ Harmonized number (<https://www.usitc.gov/tata/hts/bychapter/index.htm>)
- ❖ FDA Product Code (Refer to: <https://www.accessdata.fda.gov/scripts/ora/pcb/index.cfm>)
- ❖ Quantity by Package size and type of packing for each individual item
- ❖ Gross and net weight, value and dimensions of each item
- ❖ List of ingredients by weight of each item
- ❖ Foreign Supply Verification Program Importer appointed by the Exhibitor (PIBL affiliate The Radius Group is the official FSVP Importer for the Fancy Food Show and is available to provide this service)
- ❖ Other Known Required Codes or Registrations based on commodity

Please contact PIBL or PIBL overseas agent in your country of origin for a copy of model proforma invoice as a guideline. Referenced below are several U.S. government agency websites that contain useful information and regulations regarding food and beverage products intended for import into the U.S.:

US Dept. of Agriculture (USDA) Homepage: <http://www.usda.gov/>
USDA Food Safety & Inspection Service: <http://www.fsis.usda.gov>
USDA APHIS Plant Protection & Quarantine: <http://www.aphis.usda.gov/ppq/>
USDA Agricultural Marketing Service: <http://www.ams.usda.gov/>
USDA APHIS Veterinary Service: <http://www.aphis.usda.gov/vs>
US Food & Drug Administration (FDA) Homepage: <http://www.fda.gov/>
FDA Center for Food Safety & Applied Nutrition: <http://vm.cfsan.fda.gov/list.html>
US Alcohol & Tobacco Tax & Trade Bureau TTB: <http://www.ttb.gov/>
US Trade Representative's Office: <http://www.ustr.gov/>
National Marine Fisheries Service: <http://swr.nmfs.noaa.gov/tmm.htm>
USDA APHIS Fruits and Vegetables Import Requirements Database:
http://www.aphis.usda.gov/import_export/plants/plant_imports/quarantine_56/favir.shtml

FSVP – Foreign Supplier Verification Program

The Food Safety Modernization Act (FSMA) enacted in 2011 implements a Foreign Supplier Verification Program that requires imported food producer/suppliers to appoint an FSVP Importer to verify that the imported food meets US food safety standards. Starting May 30, 2017, the FDA has begun implementing the FDA's Food Supplier Verification Program (FSVP). Thereafter, food entries imported by international exhibitors attending US Trade Shows must identify an appointed U.S. Based FSVP Importer willing to verify that the imported food meets US food safety standards. Food entries sought to be made after this date without identifying a US based appointed FSVP Importer or exemption could be denied entry into the U.S.

A central feature of the Food Safety Modernization Act (FSMA), the FSVP is intended to be a flexible, risk-based program to verify foreign suppliers and the safety of the food they produce. FSVP will require identification of the "FSVP importer" for food products imported by the foreign supplier into the U.S. The FSVP Importer is responsible for establishing foreign supplier verification programs to verify that the foreign suppliers are using safe processes and procedures and that the food produced by the foreign supplier is not adulterated or misbranded. **Food shipments for trade shows are not exempt from the FSVP requirement.**

The U.S. based FSVP Importer must be identified on ACE entry documents after May 30, 2017. It is the responsibility of the exhibitor to appoint a U.S. based FSVP Importer.

The Specialty Food Association which manages the Fancy Food Show has appointed PIBL's affiliate The Radius Group, Inc., with offices at 1201 Corbin Street, Elizabeth, New Jersey 07201 USA (the same building as the FDA Port Newark office) as its preferred vendor to act as the Foreign Supplier Verification Program (FSVP) Importer on behalf of the Fancy Food Show exhibitors. The Radius Group Inc. specializes in providing Foreign Supplier Verification Programs for the Food Trade Show Industry.

Accordingly, The Radius Group is focused on seeking to insure that international exhibitors to the Fancy Food 2024 show can submit their food safety plans for evaluation and verification in enough time for The Radius Group to be appointed as FSVP Importer and approve such plans so that the exhibition food samples can be shipped in advance so as to enter the United States to be available at the Jacob Javits Center, New York, NY for the Fancy Food Show.

Due to their relationship with the Specialty Food Association, Fancy Food international exhibitors who appoint The Radius Group as their FSVP Importer will be provided up to a 40% discount to its standard services. Please contact TRGI directly for the discount deadline dates.



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Fancy Food international exhibitors seeking to appoint The Radius Group as their FSVP Importer after May 1st may find that there is not sufficient time for the evaluation and verification efforts required to verify that the imported food meets US food safety standards.

Accordingly, unless an exemption to the FSVP Rule applies or premium surcharges are paid for expedited evaluation and verification, their exhibition food samples could be denied entry into the United States in time for the Fancy Food Show.

Learn more about the FSVP process by visiting www.theradiusgroupinc.com or requesting Importer appointment documentation by emailing info@theradiusgroupinc.com.



THE RADIUS GROUP, INC.

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FDA FOOD FACILITY REGISTRATION

The **Public Health Security and Bioterrorism Preparedness and Response Act of 2002** (the Bioterrorism Act) directs the Food and Drug Administration (FDA), as the food regulatory agency of the Department of Health and Human Services, to take steps to protect the public from a threatened or actual terrorist attack on the U.S. food supply and other food-related emergencies.

To carry out certain provisions of the Bioterrorism Act, FDA established regulations requiring Food facilities register with FDA, and FDA be given advance notice on shipments of imported food.

These regulations became effective on **December 12, 2003**. Foreign facilities that manufacture, process, pack, or hold food that is intended for human or animal consumption in the U.S. must register with FDA before beginning these activities. A facility is defined as any establishment, structure, or structures under single ownership at one general physical location or multiple locations, that manufactures/processes, packs, or holds food for consumption in the U.S.

The Food Safety Modernization Act (FSMA) also requires that facilities engaged in manufacturing, processing, packing, or holding food for consumption in the U.S. submit additional registration information to the FDA, including assurance that FDA will be permitted to inspect the facility at times and in the manner permitted by the FFDCA and that food facilities required to register with the FDA renew such registrations every other year. The FSMA also provides the FDA with authority to suspend the registration of a food facility in certain circumstances. Specifically, if the FDA determines that food manufactured, processed, packed, received, or held by a registered food facility has a reasonable probability of causing serious adverse health consequences or death to humans or animals, the FDA may suspend the registered facility that is responsible for such reasonable probability, or that knew or had reason to know of such reasonable probability yet still packed, received, or held such food.

International food exhibitors attending the Fancy Food Show can secure **The Radius Group's** services to register their food facility with the FDA, ensure regulatory compliance with food safety laws, and establish the necessary communications conduit in the U.S. to respond to FDA inquiries.

If you require assistance with the registering your company with the FDA, please contact The Radius Group Inc (TRGI) at Info@theradiusgroupinc.com. As part of its FSVP Importer services, TRGI can register your company's facility with the FDA. We urge all companies requiring registration services to contact TRGI at least 90 days prior to export. The exhibitor's Facility Registration number must be included on the commercial invoice. Customs entries can not be processed without a valid facility registration number.



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PRIOR NOTICE OF IMPORTED FOOD SHIPMENTS

The Bioterrorism Act requires that FDA receive prior notice before food is imported or offered for import into the United States. Advance notice of import shipments allows FDA, with the support of the U.S. Customs and Border Protection (CBP), to target import inspections more effectively and help protect the nation's food supply against terrorist acts and other public health emergencies.

As part of its Customs Broker / freight forwarding services, PIBL transmits the following Prior Notice information provided by the Exhibitor to the FDA with the import entry on every food shipment.

- Manufacturer's name and address for each product / Brand Name / FDA Registration number
- Entry Type: Permanent or Temporary
- Country of origin of each item and country of export
- Canning establishment codes for canned items
- Name of exhibitor C/O /Fancy Food Show (Exactly as consignee on bill of lading)
- Clear Description of the merchandise, harmonized tariff schedule number and value of each product.
(Refer to: <https://www.usitc.gov/tata/hts/bychapter/index.htm>)
- FDA Product code (Refer to: <https://www.accessdata.fda.gov/scripts/ora/pcb/index.cfm>)
- Quantity by Package size and type of packing for each individual item
- Gross and net weight of each material
- Value and dimensions of material
- List of ingredients by weight of material
- U.S. Port of Arrival and ETA of arrival
- Mode of transport (Road, Ocean, Air)
- Carrier's SCAC Code
- Other Required Codes or Registrations based on commodity

Food that is imported or offered for import with inadequate Prior Notice is subject to refusal and, if refused, must be held at the port of entry unless directed to another location. The importing or offering for import into the U.S. of an article of food in violation of Prior Notice requirements is a "Prohibited Act" under the laws that the FDA administers.

FOOD LABELING REQUIREMENTS

All food imported into the U.S. must be properly labeled in English. There are usually five elements a food packaging label should contain. These elements are:

- **statement of identity,**
- **the product's net weight**
- **manufacturer's address**
- **nutrition facts**
- **ingredients list**

In addition to the above requirements, you should include the phrase "FOR TRADE SHOW USE ONLY – SAMPLE NOT FOR SALE" on all labels.

Failure to properly label your product will result in FDA refusing entry of the product for the show and in additional destruction or re-export expenses. Further information on labeling requirements can be found on the following websites.

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm064866.htm>

<https://www.fda.gov/downloads/food/guidanceregulation/ucm265446.pdf>

Revised Food Label Requirements Adopted Effective July 26, 2018

On May 20, 2016, the FDA announced the new Nutrition Facts label for packaged foods to reflect new scientific information, including the link between diet and chronic diseases such as obesity and heart disease. The new label will make it easier for consumers to make better informed food choices. The FDA published the final rules in the Federal Register on May 27, 2016. Both US domestic and foreign manufacturers were originally scheduled to use the new label by July 26, 2018. This requirement was recently extended by one year. However, manufacturers with less than \$10 million in annual food sales will have a further additional year to comply. If you require assistance with the review of your food labels as to compliance with food labeling requirements, please contact The Radius Group Inc (TRGI) at Info@theradiusgroupinc.com. As part of its FSVP Importer services, TRGI can review your existing labels and suggest revisions to better meet the existing and revised label requirements. We urge all exhibitors with food bearing labels that have not previously been imported into the United States to contact TRGI at least 90 days prior to export. The exhibitor's Facility Registration number and FSVP Importer contact information and DUNS number must be included on the commercial invoice. Customs entries of foods with inadequate labels may be denied entry or subjected to additional restrictions.

IMPORT OF FRESH PRODUCE

Exhibitors intending to export and exhibit Fresh Fruits and Vegetables should refer to the following website for assistance.

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/plants-and-plant-products-permits/fruits-and-vegetable-permit-information/ct_fruitsandvegs

When informing PIBL of your produce shipment, please do so as much in advance as possible, and prepare and email a proforma commercial invoice to PIBL. Identify all items by their common English name as well as the proper Latin scientific name. Exhibitors are urged to begin this process as early as six months in advance of export and to contact the nearest U.S. consulate or embassy to arrange, if available, a pre-flight inspection of the items by a representative of the USDA. If the inspection is offered and provided, PIBL will require the inspection certificate to accompany shipping documents when presented to PIBL. It is important the certificate contain the name, phone number, and email address of the U.S. Department of Agriculture or U.S. Customs and Border Protection individual who performed the inspection.

Section 8e of the Agricultural Marketing Agreement Act of 1937 (AMAA) applies to specific fruit, vegetable, and specialty crop imported into the United States. The law requires imported products to meet the same or comparable grade, size, quality and maturity standards as domestic products. Such imports are subject to inspection by the USDA's Agricultural Marketing Service as required by this section. These inspections are separate from inspection by the US Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). For additional information, please visit: <https://www.ams.usda.gov/rules-regulations/section8e>

Many agriculture products are prohibited entry into the United States from certain countries because they may carry plant pests and foreign animal diseases. All agriculture items must be declared and are subject to inspection by a CBP Agriculture Specialist at ports of entry to ensure they are free of plant pests and foreign animal diseases. Prohibited or restricted items may include meats, fresh fruits and vegetables, plants, seeds, soil and products made from animal or plant materials. For generally allowed food items please visit USDA Animal and Plant Health Inspection Service or search for authorized fruits and vegetables by commodity or country, and quickly and easily determine the general requirements, please visit the Fruits and Vegetables Import Requirements Database (FAVIR) on the USDA APHIS website set forth below.

https://epermits.aphis.usda.gov/manual/index.cfm?action=countrySummCommPI®ION_ID=

ACIDIFIED & LOW ACID CANNED FOODS

Federal Regulations require commercial processors of shelf stable acidified foods and low-acid canned foods in a hermetically sealed container to be sold in the United States to register each establishment and file scheduled processes with the Food and Drug Administration for each product, product style, container size and type and processing method (21 CFR 108). The Canning Establishment number and dimensions of the can must be provided on the commercial invoice for customs clearance purposes. Failure to register a canning establishment and provide the establishment number at the time of import may result in seizure of the products and /or fines and penalties. Additional information on canning establishment requirements can be found at the website set forth below:

<https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/AcidifiedLACF/default.htm>

MEATS, POULTRY, EGGS and SEAFOODS

All imported shipments of meat, poultry, and egg products must be presented to FSIS (Food Safety and Inspection Services) for inspection at the port of entry in the United States. **FSIS import inspection occurs after the product has met U.S. Customs and Border Protection (CBP) and USDA-Animal and Plant Health Inspection Service (APHIS) requirements at the U.S. Port of Entry (i.e. conditional release). CBP's release of the shipment at the U.S. Port of Entry allows the shipment to transfer to the designated FSIS official import inspection establishment. It does not mean that FSIS import inspection requirements have been met.** Imported meat, poultry, and egg products must originate from eligible countries and from establishments or facilities that are certified to export to the United States (21 U.S.C. 620,466) and U.S.C. 1046). Countries become eligible following an equivalence determination process completed by FSIS in coordination with the central competent authority (CCA). Establishments or facilities become eligible when the CCA of the exporting country certifies to FSIS that the establishment(s) or plants meet requirements that are equivalent to FSIS requirements. After a country is determined to have an equivalent food safety regulatory system, FSIS relies on the country's CCA to carry out inspection activities. Foreign establishments desiring to export to the United States must apply to their own CCA and that country's chief inspection official must certify to FSIS those establishments that meet requirements equivalent to those of the United States. In addition to reinspecting product presented for import into the United States, FSIS conducts periodic audits to ensure that the foreign country's food safety regulatory system remains equivalent to that of the United States.

MEATS, POULTRY, EGGS and SEAFOODS Cont'd

Exhibitors intending to export meat products must contact and provide PIBL a proforma invoice **April 10, 2024**. To avoid costly delays resulting from examinations, shipments of meats should arrive in advance of the arrival deadlines referred to above. Specific arrival dates can be provided upon PIBL's review of the commercial invoice. We urge all exhibitors intending to export meats, poultry, pates and seafoods to contact PIBL as much as 3-4 months in advance to begin discussions regarding Export Establishment Certification and CBP, FDA, USDA import requirements.

A completed NOAA Form 370, Fisheries Certificate of Origin [pdf], is required to accompany all imports of frozen and/or processed tuna and tuna products and is to be submitted to U.S. Customs and Border Protection (CBP) at the time of, or in advance of, importation via the Automated Commercial Environment (ACE) system. This form is **not** required for FRESH tuna. It is important that all NOAA Form 370s be filled out properly and completely, and that all necessary Captain or IDCP-member nation certifications accompany the NOAA Form 370's submission through the ACE Document Imaging System. Instructions for completing the NOAA Form 370 (Fisheries Certificate of Origin) are found on page 2 of the form. Incomplete forms may lead to a delay or rejection of the filed paperwork by CBP. For additional information, visit: <http://www.nmfs.noaa.gov/pr/dolphinsafe/noaa370.htm>

Canning establishment numbers referred to above are required for most canned meats.

PIBL is not responsible for the examination charges, shipment delays, or non delivery resulting from exams performed by FDA, USDA, CHB, APHIS or any other Government organization. The exhibitor understands the risk of delays and seizure associated with the import of food items and agrees not to hold PIBL responsible for such delays or non delivery as a result of such exams or seizures.

CHEESE, MILK, BUTTER, ICE CREAM AND DAIRY PRODUCTS.

Milk, cream, ice cream, butter and many cheeses are subject to quota restrictions administered by both CBP and the U.S. Department of Agriculture. All dairy products are subject to Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) requirements. They are also subject to Food and Drug Administration (FDA) requirements.

The Dairy Import Licensing Program covers nearly all dairy products from cow's milk, except for soft-ripened cheeses such as Brie. It also covers blue cheese made from sheep's or goat's milk. If you do not have or are unable to obtain an import license, please email PIBL a proforma invoice containing the following information by **April 10, 2024**.

- Mode of transport (Air or Sea)
- Packaging requirements regarding temperature control
- Description of cheese/dairy products with Harmonized Code
- Size and type of packing used for each individual item
- Description and common or trade name of each item with individual weight, dimension & value
- Type of animal/s from which the product is made and a percentage breakdown of each
- FDA Product Code (see <http://www.accessdata.fda.gov/scripts/ora/pcb/pcb.htm>)
- Name & address of the manufacturer
- Description of process used to make material
- Country of origin

If you do not have a license and want to pay the low-tier duty, PIBL may apply to the Foreign Agricultural Services (FAS) on your behalf for an "ex-quota permit". FAS will consider ex-quota permits for imports of samples that will not enter U.S. commerce but are to be used at a trade fair for taking orders. However, if you don't have a license (or if you have exceeded the limit under your license), PIBL can file for entry under an Harmonized Tariff Schedule (HTS) number for which no license is required and pay the additional duty. For example, cheddar cheese "in-quota" is HTS Number 0406.20.31.90, duty of 16%, and requires a license as described in HTS Chapter 4, Note 18. But if you don't have a license (or if you have filled up your license) PIBL can file for entry under HTS number 0406.20.33.00, duty of \$1.227/kg with no license required. This program does not apply to all dairy and cheese products which is why PIBL needs your proforma invoice by **April 10, 2024** to research and advise the best clearance method.

Such shipments should never be consolidated with other products and must be shipped on their own master airwaybill.

ALCOHOLIC BEVERAGES

Exhibitors intending on shipping alcoholic beverages to the Fancy Food Show should email PIBL a proforma invoice for review and approval by **April 24th, 2024**. Upon review PIBL will provide further instructions on how to complete the commercial invoice and advise how to consign the airwaybill. The invoice must include the following information.

- The specific type and quantity of each alcohol beverage. "Type" for wine means identification as "red wine", "white wine", "sparkling wine", and/or identification with a varietal if the wine is so labeled; for distilled spirits, the type means, for example, "rum," "brandy," "vodka," etc., as appropriate; for malt beverages, type means "beer," "ale," "porter," etc., as appropriate
- Country of origin of each type
- Brand name of each type
- Harmonized schedule number and commodity code of each type of beverage
- Number of containers of each beverage and liters per bottle
- Liquid volume of each bottle per each beverage
- Value of beverage
- Percentage of alcohol by volume for each type of beverage
- FDA Facility Registration number

Labeling:

Samples of alcoholic beverages imported strictly for use at trade shows may, under specific conditions, be imported without a certificate of label approval (COLA). PIBL can arrange for a waiver from the labeling requirements.

A sticker will be affixed to every container (bottle or box) which reads,

"For Trade Show (or Sample) Purposes Only – Not for Sale"

A label will be affixed to every container which states on the brand label or separate front label, or on a back or side label, separate and apart from all other information, the following statement:

GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.

In the case of wine which contains sulfites, an additional label will be affixed which reads, "Contains Sulfites"

The exhibitor is responsible for properly packaging their products for international transport and alerting PIBL of any requirements of your caterer/server for shipping and serving of alcohol at your booth. PIBL cannot be held responsible for damage to shipments while in transit. Our limit of liability is \$50.00 per shipment unless additional insurance is requested.

IMPORT SECURITY FILING (10+2) Rule

This information is needed 24 hours before shipment is loaded

International exhibitors attending trade shows in the U.S. face additional federal regulations when importing cargo by ocean freight from overseas. On January 26, 2009 the Import Security Filing (ISF) rule, also known as the 10+2 rule, took effect. International exhibitors who fail to follow the new rule from the U.S. Customs and Border Protection (CBP) are subject to fines and penalties. Under the ISF rule, importers are required to submit 10 items of data about their cargo at least 24 hours before it is loaded aboard a vessel at a foreign port. Two additional data items are required by the carrier as well, resulting in what is known as the 10+2 rule. To comply with the new rule, exhibitors are required to provide PIBL or a PIBL overseas agent the following 10 data elements 48 hours prior to loading at the port of origin.

- | | |
|--|---|
| 1. Manufacturer (or supplier) name and address | 6. Consolidator name and address |
| 2. Seller name and address | 7. Importer of record number |
| 3. Buyer name and address | 8. Consignee number |
| 4. Ship to name and address | 9. Country of origin of goods |
| 5. Container stuffing location | 10. Harmonized Tariff Schedule (HTSUS)# |

On July 9, 2013, CBP was authorized to begin full enforcement of the ISF regulation. CBP will begin fining Importers for the submission of an inaccurate, incomplete or untimely filing or for failure to file. Violators will be fined \$5,000 per non filed, late filed, inaccurate filing or inaccurate ISF update. Fines will not exceed \$10,000 per ISF. To expedite the process, review and use the attached ISF form or contact PIBL or a PIBL overseas agent to request an email copy of an easy to use "type and send" ISF form or download it from http://phoenixlogistics.com/f_and_e.html

RESTRICTIONS ON WOOD PACKAGING MATERIAL

In connection with the International Plant Protection Convention (IPCC), the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) has revised its import regulation for wood packaging materials (WPM), 7 CFR § 319. The final rule was effective September 16, 2006 with full enforcement commencing on July 5, 2006.

The regulation restricts the importation of many types of untreated wood articles, including wooden packaging materials such as pallets, crates, boxes, and pieces of wood used to support or brace cargo. The regulations currently refer to these types of wood packaging materials as solid wood packing materials, defined as “wood packing material other than loose wood packing material, used or for use with cargo to prevent damage, including, but not limited to, dunnage, crating, pallets, packing blocks, drums, cases, and skids.” **Any wood packaging material not meeting the treatment specifications of this rule will be immediately re-exported.**

The rule states that regulated wood packaging materials must be marked in a visible location on each article, preferably on at least two opposite sides of the article, with a legible and permanent IPPC mark that indicates that the article meets the new requirements. **It is highly recommended that IPPC stamped crates loaded in full containers be placed at the tail of the container so the stamp is clearly visible by Customs when the container doors are opened.** U.S. Customs is no longer accepting fumigation certificates as proof of fumigation. All fumigated wood packaging material must be stamped with the IPPC stamp.

Should you have any questions regarding the wood packaging material used for your exhibit, please consult your local PIBL overseas agent, in-house freight forwarder, or packing and crating company. Additional information on this subject can be found on the USDA Website: set forth below:<http://www.aphis.usda.gov/lpa/issues/wpm/wpm.html>

MARKING AND LABELING OF PACKAGING MATERIAL

Each pallet/crate must be clearly labeled as follows:

Exhibitor Name: _____ Booth #: _____

C/O Fancy Food Show 2024

Jacob Javits Center

New York, New York

Case # ____ of ____

Made in _____ (Country of Origin)

For Perishable and Non-Perishable

Food Products, please indicate the following on each package/label:

Storage temperature _____ (indicate Fahrenheit or Celsius)

Refrigerated, Frozen or Dry

Please use colored labels to categorize each case/crate:

Green = Refrigerated

Blue = Frozen

Red = Dry/Non=Perishable

PERISHABLE SHIPMENTS

Shipping perishable items can be challenging. Exhibitors intending on shipping their perishables to the Fancy Food Show should understand they ship at their own risk. PIBL, our overseas agents and vendors are not held liable for the condition of the cargo upon arrival onsite. By agreeing to utilize PIBL's services, the exhibitors acknowledges PIBL's terms and conditions of service and that our terms and conditions are limited to \$50.00 per package. Shipments are not insured by PIBL.

To avoid delays associated with clearance issues of other cargo, please do not consolidate perishable products with dry non perishable products. We suggest shipping all perishable items under a separate direct International Air Transport Association (IATA) airwaybill.

Perishable shipments arriving by airfreight will be customs cleared upon arrival and transferred to a temperature controlled warehouse until delivered to showsite on the targeted move in date. To avoid unnecessary airline storage charges, avoid shipping perishable shipments that arrive on a Friday or Saturday. Storage services for perishable cargo after arrival and prior to delivery to showsite are available in limited supply and must be requested 30 days in advance of shipment and confirmed available before export. Services are available on a "first come first serve" basis. Exhibitors are responsible for arranging temperature controlled storage of their product at the show through the appointed onsite drayage company. PIBL's responsibility for delivery of exhibitor shipments ends at the convention center dock.

Shipping labels and documents such as the bill of lading and commercial invoice must specify the required temperature (in Fahrenheit and Celsius) of the product and indicate either **Frozen** or **Refrigerated**. Failure to post this information on the cargo or on the documents could result in the shipment being stored at the wrong temperature. Please take all necessary precautions to insure cargo is labeled and marked accordingly.

As a result of possible clearance delays associated with the FDA, USDA, U.S. Customs, and other Government Agencies documentation review and exams, PIBL is unable to guarantee perishable shipments will be customs cleared and delivered on the targeted move in dates of the show.

PIBL must be notified on the Freight Information sheet as to whether the perishable shipment is being delivered direct to the exhibitors booth or if it is to be delivered to Freeman frozen/chilled storage. If the shipment is being delivered direct to the booth, it is the exhibitor's responsibility to insure a representative is onsite to confirm their refrigeration unit is operational and to unpack and load the perishable items.

CALIFORNIA PROPOSITION 65

California Proposition 65, officially known as the Safe Drinking Water and Toxic Enforcement Act of 1986 is a state law that applies to the January 21 thru 23, 2018 Fancy Food Show taking place at the Jacob Javits Center, New York, New York. The Act seeks to protect the state's residents and drinking water sources from being contaminated with chemicals known to cause cancer, birth defects or other reproductive harm, and requires trade show exhibitors to provide an express "clear and reasonable warning" to the affected residents about exposures to such chemicals, if applicable. If products do not expose individuals to any of the Proposition 65 listed substances in quantities above the safe harbor level, then no notification is required.

Under Proposition 65, the State of California maintains and periodically updates a list of chemicals known to the state to cause cancer or reproductive toxicity and has adopted safe harbor levels (levels of exposure that trigger the warning requirement) for many but not all of the listed chemicals. Businesses that have products or operations in the state that cause exposures greater than the safe harbor level must provide Proposition 65 warnings. If there is no safe harbor level, businesses that expose California residents to that chemical would be required to provide a Proposition 65 warning, unless the business can show that the anticipated exposure level will not pose a significant risk of cancer or reproductive harm. Failure to provide such warning can subject the business to a fine of \$2,500 per day per incident of exposure.

As a food exhibitor at the Fancy Food Show, you would need to provide a Proposition 65 warning if, by using your knowledge of the chemicals you use in your products or on site operations, you review the Proposition 65 list and determine that your on site operations or products are likely to expose individuals to any listed chemicals during the course of the Fancy Food Show. Depending on the level of exposure, you may be required to provide a warning for those exposures. The following warning language is standard on products used in California if they contain chemicals on the Proposition 65 list and the amount of exposure caused by the product is not within defined safety limits.

"WARNING: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm."

The warning could be merely be a sign at the exhibit table wording can be changed as necessary, so long as it communicates that the chemical in question is known to the state to cause cancer, or birth defects or other reproductive harm. For exposures from other sources, such as fumes from cooking at the trade show, a standard sign in the cooking area might read:

"This area contains chemicals known to the State of California to cause cancer, or birth defects or other reproductive harm."

On August 30th, 2016, the Act was amended to make the warnings more meaningful to the public. Products manufactured after August 30th, 2018 must adhere to the new requirements of the amended Act including a requirement to specifically identify at least one listed substance in the warning. A model of the new warning could be as simple as the following:



“**WARNING:** This product can expose you to chemicals including arsenic, which is known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov.”

Exemptions. The only companies exempt from this law are those with 10 employees or less, and those producing products for which the exposure levels are insignificant relative to the level required to cause health damage.

The Radius Group is the SFA approved FSVP Importer for the Fancy Food Show. As an added service to the Fancy Food Show exhibitors, The Radius Group can expand its evaluation and verification of international exhibitors food safety plans to include an initial review of the exhibitor’s product ingredient list against the Proposition 65 list.

For more information visit the web site set forth below: <https://oehha.ca.gov/proposition-65>

FULL CONTAINER OCEAN SHIPMENTS

Containers must be terminated at the Port of Newark / Elizabeth, New Jersey at which point, PIBL will arrange the customs clearance, short term storage, and transfer of the container to showsite.

Exhibitors are responsible for demurrage, chassis fees, storage charges, applicable per diem charges, container cleaning charges associated with the removal of packing material, dunnage, blocking and bracing equipment that has been left in the container.

LESS THAN CONTAINER LOAD OCEAN SHIPMENTS

If you intend to engage the services of a sea freight consolidator for your LCL (less than container load shipments), please be aware of the delays associated with such shipments. . Delays range from 8-20 days. Depending on Customs Examination and how quickly the consolidator can make the shipment available for pickup, PIBL can not guarantee timely customs clearance and delivery of LCL shipments.

U.S. CUSTOMS CONTAINER SEAL REQUIREMENTS

U.S. Customs and Border Protection is reminding shippers and importers that all loaded containers arriving by vessel at a port of entry in the U.S. on or after October 15, 2008, are required by statute ([6 U.S.C. 944](#)) to be sealed with a seal meeting the [ISO/PAS 17712](#) standard.



The ISO/PAS 17712 standard requires that container freight seals meet or exceed certain standards for strength and durability so as to prevent accidental breakage, early deterioration (due to weather conditions, chemical action, etc.) or undetectable tampering under normal usage. ISO/PAS 17712 also requires that each seal be clearly and legibly marked with a unique identification number. If you have any questions regarding seal requirements, please contact PIBL or one of our overseas agents.

INSURANCE

To best serve our customers, we must inform you that the liability of your freight forwarders, customs broker and contracted carriers, as well as PIBL, is limited to \$50.00 per shipment under the Freight Forwarder/Customs Brokerage Industry's standard terms covering liability for physical loss or damage to your cargo. In the unfortunate event that your goods are damaged or lost while entrusted to PIBL and if our overseas agents or we are determined liable for the damage or loss, our and their liability will be limited to \$50.00 per shipment.

If you do not wish to run this risk, you have two options. You may declare the value of the goods to us prior to shipment; PIBL with our overseas agents will thereby charge you a significantly higher rate for our services. Alternately, you may procure insurance on your own, or through us, for the full value of the goods for the time the goods are entrusted to us and/or our agents, including international door-to-door coverage.

Generally, the premium for such insurance is much less than the higher freight rate that you will be charged if you choose the first option, declaring the higher value.

If you or your insurance broker has any concerns that your present coverage does not fully cover the value of your shipment in the event of loss or damage, please feel free to request full coverage of this shipment in writing to PIBL. Through our underwriters, we have the ability to insure your shipment for the value as indicated in your request.

If you do not wish to exercise either option, or if you are satisfied that the insurance coverage you have arranged through others and not through PIBL is sufficient, you are acknowledging the fact that PIBL has not insured your shipment and has advised you of the liability limitation that will otherwise apply.

INTERNATIONAL COURIER/ SMALL PACKAGE SHIPMENTS

Successful customs clearance and delivery of international courier and small package shipments can be a challenge. To reduce delays, additional expenses and possible non delivery of your shipment, we suggest exhibitors utilize our customs clearance, receiving and delivery services. With correct consignee instructions provided to the courier, we can customs clear, receive, consolidate and deliver your shipment to the show. Our staff are available onsite to monitor and confirm your shipment is delivered to your booth. Please contact us to discuss the best method for handling courier and small package shipments. Courier/Overnight/Small package shipments are subject to FDA, USDA, TTB, Customs, **FSVP** and other Governmental Agencies requirements.

OUTLAYS AND PAYMENT CONDITIONS

PIBL will advance funds on your behalf for expenses incurred in New York. Unless you have an established account with PIBL or a PIBL overseas partner, these charges are expected to be paid prior to delivery of your shipment to the show site.

PHOENIX OVERSEAS AFFILIATES AND OFFICES

PIBL urges all exhibitors to utilize the transportation services of our overseas partners and affiliates. These offices have familiarized themselves with these guidelines and are in a position to invoice you directly for all Customs and destination charges. By using the PIBL network, you will alleviate any delays in New York and will increase the efficiency of the entire transportation process. Contact Phoenix directly for the contact details of our overseas agent nearest your location.

IMPORTANT DEADLINE CHECKLIST FOR EXHIBITORS

- March 15th** - Take advantage of 40% discount on FSVP services by contacting The Radius Group Inc. (TRGI) to begin the FSVP process.
- April 10th** - Provide proforma commercial invoice of all Meat, Cheese, Poultry Eggs, Produce, and Alcohol to Phoenix (PIBL) for review and approval to export.
- Notify PIBL of temperature controlled/perishable shipments by emailing proforma commercial invoice for review and approval
- Notify PIBL or PIBL overseas agent of any intended seafreight shipment and ETA. Email documents for review and approval. ISF Form must be completed and provided to PIBL 72 hours prior to export of seafreight shipments.
- April 15th** - Take advantage of 20% discount on FSVP services by contacting The Radius Group Inc. (TRGI) to begin the FSVP process.
- Deadline for exhibitors to email commercial invoices to PIBL
- April 24th** - Deadline for emailing PIBL commercial invoice for Exhibitors intending to ship and exhibitor Alcohol.
- May 1st** - Deadline for requesting FSVP services. Exhibitors seeking to appoint TRGI as their FSVP Importer after May 1st may find that there is not sufficient time for the evaluation and verification efforts required to verify that the imported food meets US food safety standards.
- Notify PIBL or PIBL agent of any intended airfreight shipment and ETA. Email documents for review and approval.
- Deadline for exhibitors to apply to TRGI for FDA Facility Registration services

RATES AND SERVICES

A. Important scheduling notes

1. Phoenix is offering 10 **free** days storage of non perishable airfreight shipments arriving after the above stated deadlines.. Exhibitors are encouraged to ship early in case of unexpected Customs delays. Cargo arriving before June 8th are subject to storage fees
2. Cargo arriving with 5 days of the first move in date will be charged additional fees based on the services required to insure timely clearance and delivery to the convention center.

Trucking and warehouse charges for perishable shipments are quoted on a case per case basis. Rates are based on size/weight, duration of storage and storage temperature requirements.

B. Rates and Services

1. Exhibitors are encouraged to start the quotation process a minimum of 90 days prior to the show by emailing their commercial invoice to the PIBL contact.
2. All rates are based on volume or actual weight. whichever is greater.
3. Rates exclude all U.S. Customs duty, taxes and/or Merchandise Processing Fees, trucker waiting time on show site, any storage charges due to early arrival or delays beyond PIBL's control, and charges related to the movement of freight once it arrives on show site.
4. A 4% processing fee will be added to all invoices paid by credit card
5. All merchandise shipped to the show must be properly packed to withstand shipping and normal handling services. PIBL does not unload or load vehicles at the convention center so we can not be held liable for damage caused while unloading or loading. We highly recommend the use of wooden crates for all international and domestic shipments.
6. PIBL will invoice a 15% outlay fee for any/all monies outlaid on behalf of the exhibitor.
7. PIBL is not responsible for the examination charges, shipment delays, or non delivery resulting from exams performed by FDA, USDA, CHB, APHIS or any other Government organization. The exhibitor understands the risk of delays and seizure associated with the import of food items and agrees not to hold PIBL responsible for such delays or non delivery as a result of such exams or seizures.