

April 22, 2020

## U.S. Export Personal Protective Equipment (PPE) Exemption Process

Dear Valued U.S. Export Customer,

On April 21, 2020, U.S. Customs and Border Protection (CBP) published CSMS #42439611 detailing the exemption process for certain scarce personal protective equipment (PPE) materials denoted by the Federal Emergency Management Agency's (FEMA) Temporary Final Rule (TFR) which was published on April 10, 2020.

The following materials are covered:

- N-95 Filtering Facepiece Respirators,
- Other Filtering Facepiece Respirators (N99, N100, R95, R99, R100, or P95, P99, P100),
- Elastomeric, air-purifying respirators and appropriate particulate filters/cartridges;
- PPE surgical masks,
- PPE gloves or surgical gloves

Any exported materials covered in the list above which belong to one or more of the exemptions described below may proceed immediately for export.

1. Shipments to U.S. Commonwealths and Territories, Including Guam, American Samoa, Puerto Rico, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands (Including Minor Outlying Islands).
2. Exports of covered materials by non-profit or non-governmental organizations which are solely for donation to foreign charities or governments for free distribution (not sale) at their destination(s).
3. Intracompany transfers of covered materials by U.S. companies from domestic facilities to company-owned or affiliated foreign facilities.
4. Shipments of covered materials which are exported solely for assembly in medical kits and diagnostic testing kits destined for U.S. sale and delivery.
5. Sealed, Sterile Medical Kits where only a portion of the kit is made up of one or more covered materials which cannot be easily removed without damaging the kits.
6. Declared diplomatic shipments from foreign embassies and consulates to their home countries. These may be shipped via intermediaries (logistics providers) but are shipped from and consigned to foreign governments.
7. Shipments to Overseas U.S. Military Addresses, Foreign Service Posts (e.g. Diplomatic Post Offices), and Embassies.
8. In-Transit Merchandise: Shipments in Transit through the United States with a Foreign Shipper and Consignee, Including Shipments Temporarily Entered into a Warehouse or Temporarily Admitted to a Foreign Trade Zone.
9. Shipments for which the Final Destination is Canada or Mexico.
10. Shipments by or on behalf of the U.S. Federal Government, including its Military.

*Our information is compiled from a number of sources that to the best of our knowledge are accurate and correct. It is always the intent of our company to present accurate information. C.H. Robinson accepts no liability or responsibility for the information published herein.*



CBP states "in order to qualify for exemptions 2, 3, 4, 8, and 9, FEMA requires a letter of attestation, submitted via the document imaging system (DIS). For these exemptions, the exporter, shipper or their agents should present the letter via DIS, on company letterhead, signed by a responsible company official, including:

- a description of which exemption(s) the exporter is claiming;
- details regarding the shipment which are sufficient for the CBP and FEMA officials to determine whether the shipment falls under the claimed exemption(s), including the required information identified in the Federal Register notice published on April 21, 2020;
- a statement that the provided information is true and accurate to the best of the exporter's knowledge, and the exporter is aware false information is subject to prosecution under the DPA, as outlined in the allocation order.

In order to avoid detention of shipments, letters should be uploaded in DIS at the same time as the Electronic Export Information (EEI) is transmitted in the Automated Export System (AES).

When submitting to DIS, filers have the following options to transmit:

1. Electronically through secure web services, file transfer protocol, or messaging queue.
2. By Email to [docs@cbp.dhs.gov](mailto:docs@cbp.dhs.gov)

Successful submissions will receive an automated 'submission status email' indicating Success or Failure. Technical guidelines for electronic or e-mail submission are available at [www.cbp.gov/ace-dis](http://www.cbp.gov/ace-dis)

For questions about the process or specific shipment, issues contact utilize the COVID-19 Exports Intake at <https://imports.cbp.gov/s/>. Select the Export Cargo Hold/Facilitation Assistance button.

Thank you for being our Valued Customer. If you have any questions, please do not hesitate to contact your C.H. Robinson commercial representative for further information.

Sincerely,  
C.H. Robinson

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