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Safe port act seal requirements and container inspection

SAFE PORT ACT SEAL REQUIREMENTS AND CONTAINER INSPECTION

A seal requirement for all sea containers in transit to the United States was effective on October 15, 2008 as per Federal Register Notice/ Vol. 73, No. 153 was published on August 7, 2009. This mandate was the result of several 2007 amendments to the Security and Accountability For Every Port (SAFE Port) Act of 2006. The provisions of Section 1701 of the Implementing Recommendations of the 911 Commission Act of 2007, codified at 6 U.S.C. § 944, imposed a self-executing legal requirement. The statute requires all containers to be sealed with a seal meeting the International Organization for Standardization Publicly Available Specification 17712 (ISO/PAS 17712), Freight Containers – Mechanical Seals. The statutory requirement applies to loaded containers, including freight remaining on board, arriving by vessel at U.S. ports of entry. CBP published a notice in the Federal Register on August 7, 2008. The following language has been excerpted from that notice (73FR46029):

> U.S. Customs and Border Protection (CBP) recognizes that there are types of containers that cannot be readily secured by use of a container freight seal meeting the ISO/PAS 17712 standard. These include tanks, non-standard containers (such as open top containers), or containers that simply cannot accommodate a seal meeting the ISO/PAS 17712 standard (such as custom built containers). These types of containers are not subject to the statutory requirement.

In addition to sealing requirements it is imperative that all clients have Procedures in place for all containers, tractors and trailers arriving at facility to include:

- Documentation verified.
- Seal number verified and inspected for tampering.
- 7-Point container inspection conducted.
- 17-Point tractor and trailer inspection conducted

Inspection processes should be implemented at all foreign and domestic facilities where cargo is transferred in the supply chain from point of stuffing to point of unloading.