



SHIPPING INSTRUCTIONS FOR EXPORT LICENSES (EAR)

Revision A, 8/29/2011

PURPOSE

This document describes the steps for shipping items that are subject to an export license under the Export Administration Regulations (EAR). The purpose of these instructions is to ensure that:

- The license is completed properly.
- Shipping records are filled out properly.
- Appropriate records of the shipment are maintained.

All persons working for or on the behalf of the University of Wisconsin-Madison shall ensure that any shipments subject to an export license shall be shipped in compliance with the EAR according to the content and constraints of the applicable license. Non-compliances with the EAR and/or the applicable license shall be disclosed to UW-Madison Administrative Legal Services and reviewed for reporting to the U.S. Department of Commerce. Persons or organizations found to be non-compliant maybe subject to fines, penalties or disciplinary actions levied by the Commerce Department or UW-Madison (depending on the nature of the non-compliance).

Questions regarding these instructions or licensing should be forwarded to Tom Demke, UW Export Control Officer (tom.demke@ssec.wisc.edu) or Ben Griffiths, UW Legal (bgriffiths@vc.wisc.edu).

CAUTION

Prior to commencing export activities with a foreign entity, applicable UW-Madison staff shall verify that all entity(ies) involved in the transaction (including the Freight Forwarders and Custom Brokers) are not designated on any of the following federal government entity lists. Records shall be maintained of this assessment.

- **Nonproliferation Sanctions List:** <http://www.state.gov/t/isn/c15231.htm>
- **Denied Persons List:** <http://www.bis.doc.gov/dpl/thedeniallist.asp>
- **Entity List:** <http://www.access.gpo.gov/bis/ear/pdf/744spir.pdf>
- **Unverified List:** http://www.bis.doc.gov/enforcement/unverifiedlist/unverified_parties.html
- **Specially Designated Nationals List:** <http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf>

Owner	Task
<i>EAR Export License</i>	
UW-Madison	<p><u>License Preparation</u></p> <p>1) Ensure that you understand the following information regarding the planned export. <i>If any of this information is unclear, request written confirmation from your foreign contact prior to completing the license application.</i></p> <ol style="list-style-type: none"> a) Who is the ultimate consignee / end-user? b) What is the end-use of the items being exported? c) Will the commodity be re-exported? d) What is the shipping route for the items being exported? <p>2) Verify the license application includes:</p> <ol style="list-style-type: none"> a) All entities (persons or organizations) that will take custody of the exported item(s) during the transfer. This includes all freight forwarders and customs brokers. b) An appropriate description of the commodity being shipped. c) The correct ECCN (export control classification number). d) An appropriate \$ value.
UW-Madison	<p><u>Export Preparation</u></p> <p>3) Verify the export license includes:</p> <ol style="list-style-type: none"> a) All entities (persons or organizations) that will take custody of the exported item(s) during the transfer. This includes all Freight Forwarders and Customs Brokers. b) An appropriate description of the commodity being shipped. c) The correct ECCN (export control classification number). d) An appropriate \$ value.
UW-Madison	<p><u>Export</u></p> <p>4) Verify the Commercial Invoice contains:</p> <ol style="list-style-type: none"> a) License number and expiration date. b) ECCN. c) Destination Control Statement (DCS), see below. <p>5) Verify the Electronic Export Information has been filed in the Automated Export System (AES) for <u>the following</u>.*</p> <ol style="list-style-type: none"> a) Exports Shipped under a License: <ol style="list-style-type: none"> 1. License number and expiration date. 2. ECCN. 3. Item description identical to the item description on the license. b) Exports Shipped under a License Exception: <ol style="list-style-type: none"> 1. ECCN. 2. Correct License Exception symbol (e.g., LVS, GBS, CIV) 3. No License Required. c) No License Required (NLR) Exports: <ol style="list-style-type: none"> 1. NLR for items not listed on the Commerce Control List. 2. Enter the ECCN for NLR items that have a Reason For Control other than Anti-Terrorism. d) EAR99 - No License Required (NLR) Exports:

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<i>EAR Export License</i>	
	<p>1. An AES filing must be completed for all exports to one consignee on a single exporting carrier, classified under an individual Schedule B with a value of \$2,500 or more. This exemption to not file EEI applies to individual Schedule B commodity classification codes regardless of the total shipment value. In instances where a shipment contains a mixture of individual Schedule B commodity codes valued \$2,500 or less and individual Schedule B or HTSUSA commodity classification codes valued over \$2,500, only those commodity classification codes valued over \$2,500 need to be reported. If the filer reports multiple items of the same Schedule B or HTSUSA code, this exemption only applies if the total value of exports for the Schedule B or HTSUSA code is \$2,500 or less.</p> <p>6) Verify that all shipping documents, including Air Waybills, Bills of Lading and packing lists are consistent with the license terms and contain the:</p> <ul style="list-style-type: none"> a) License number. b) AES number. c) Destination Control Statement <i>(needed for all shipments that are not EAR99)</i>: <p style="text-align: center;"><i>WARNING: INFORMATION SUBJECT TO U.S. EXPORT CONTROL LAWS. These commodities, technology or software were exported from the United States in accordance with the Export Administration Regulations. Diversion contrary to U.S. law is prohibited.</i></p> <p>7) Ship only:</p> <ul style="list-style-type: none"> a) Items as described in the license. Do not exceed the maximum quantities or values. b) To the destination listed on the license. Delivery must be to a port in the country of the ultimate consignee. c) Via the freight forwarders and brokers (consignees) identified on the license. <p>8) Package and label the item per standard shipping requirements applicable to the commodity being shipped.</p>
UW-Madison	<p>Export Verification</p> <p>9) Contact the ultimate consignee and verify the shipment arrived complete and undamaged. Ask for a written statement of receipt from the ultimate consignee (this can be a simple e-mail message). The statement of receipt should include:</p> <ul style="list-style-type: none"> a) Date received. b) Quantity of items received. c) Condition of items received (undamaged or damaged). <p>10) Records:</p> <ul style="list-style-type: none"> a) Copies of all paperwork, and communications regarding this shipment shall be maintained in the shipping organization's shipping file with copies of the records forwarded to the organizational point-of-contact for export control. This includes copies of the license, Airway Bill, Bill of Lading, commercial invoice, packing list, AES report and statement of receipt from the ultimate consignee.

Owner	Task
<i>EAR Export License</i>	
	b) Copies shall completely, accurately, legibly and durably reproduce the original record. c) Notify the UW Export Control Officer that the export has been completed. d) Maintain records of all shipping documents for 7 years from when the export occurred (unless a longer period is stipulated in 15CFR 762.6).

* Note: Shipments may contain multiple items some of which require an export license and others which may be NLR.