



FREIGHTGATOR

Freightgator Logistics Inc.

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ISF POLICY

Freightgator Logistics Inc. (FgL), a licensed US Customs broker, has established the following corporate policy with respect to the enforcement phase of Importer Security Filing (aka "10+2"), which begins on Jan. 26th, 2010:

1. Unless FgL finds itself at fault for a late filing, FgL will not under any circumstances accept liability for penalties, or for costs incurred due to a late-file or non-file of the ISF.
2. FgL will make every effort to file an ISF timely; however, an ISF received for filing less than 24 hours prior to the filing deadline is not guaranteed to be filed timely.
3. FgL relies on numerous parties to provide ISF data, including shippers, foreign freight forwarders and their US counterparts, and importers. Each party is presumed reliable; therefore, due to legal obligations of the ISF Importer, FgL is not responsible for errors, including incorrect AMS bill of lading data, provided by any party.
4. On Customs entries for shipments subject to ISF requirements, where the importer does not have a valid, continuous entry bond in force, FgL will require the following documentation before filing the entry:
 - a. Screen print of the ISF filers' ISF data, including:
 - i. ISF Importer ID#
 - ii. ISF Confirmation#
 - iii. ISF Appendix D bond number, if applicable
 - b. Copy of ISF Appendix D single transaction bond (STB), if applicable
5. For shipments which have not had an ISF filed, and for which the importer does not have a valid, continuous entry bond in force, FgL will not file the entry, unless FgL's surety company agrees to underwrite the Appendix D STB (which will likely require cash collateral equal to the bond amount of \$10,000).
6. FgL will not obtain Appendix D STB's for other ISF filers.
7. FgL will not file CBP5106 data for importers not on file with Customs, except under the following conditions:
 - a. Proper FgL POA is required; FgL does not accept sub-POA's from unlicensed parties.
 - b. Presentation of any other documentation required as a result of FgL's POA validation process.
 - c. Agreement to a service charge of \$15 per importer number.
 - d. No discount or credit is given, even if FgL files the Customs entry.
 - e. This does not apply to FgL filed ISF's.
8. For ISF's requiring an Appendix D Single Transaction Bond, approval of the bond is subject to the surety underwriting guidelines, which may include requests for additional information and/or collateral. FgL is not responsible for any delay in filing ISF's as a result of such demand.
9. FgL may, solely at its' discretion, provide ISF bond coverage using its' own bond. Such coverage will only be provided when:
 - a. The ability to file the ISF timely exists, and
 - b. FgL can reasonably ascertain the accuracy of the ISF data.Providing bond coverage is done for a fee equal to the premium otherwise applicable for an actual STB. The actual importer/consignee remains liable for any penalties or other costs incurred, for whatever reason.
10. ISF Appendix D bond guidelines establish specific bond limits as follows:
 - a. \$10,000 single transaction bond
 - b. \$50,000 continuous term bond (CTB)
11. FgL will not advise or handle, in any way, penalties and/or other CBP correspondence on ISF's filed by any other filer.
12. Any party requesting guidance or assistance in reviewing or establishing compliance with ISF requirements is directed to www.USAIMporterHelp.info for the most current, public information. If, after reviewing the site and its' recommended resources, guidance or assistance is still required, the party may be required to agree to consultation fees, at FgL's discretion.
13. All parties are reminded that under federal regulations (19CFR149.2(a)), the ISF Importer is required to file an ISF, and that it may, as a business decision, appoint an authorized filer to do so on its' behalf. This means that the ISF importer is responsible and liable; FgL strongly recommends that all importers familiarize themselves with ISF requirements.