



Importing into the United States

Tennant Company

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1. INTRODUCTION

The purpose of this document is to provide easy-to-follow instructions to our international suppliers, vendors, customers and freight forwarders. These guidelines are in place to ensure efficient and timely delivery of cargo from international supply points to Tennant Company U.S. sites or third party destinations from international supply points.

These instructions serve as default requirements but may be superseded, in part, by individual contracts negotiated between Tennant Company and your entity.

To ensure that Tennant remains compliant with all U.S. and international import and export laws, as well as Tennant's Compliance Policies, we ask that you make every effort to follow these instructions. Not following them may result in unexpected delays, unnecessary costs and U.S. Government imposed inspections, fines or penalties for non-regulatory compliance.

If you have any questions concerning Tennant requirements for importing into the United States, please contact the Tennant Customs Compliance team. See [Custom Compliance Contact List, 11.4](#).

Use these instructions as a general guideline for exporting and importing. This information will assist Tennant suppliers shipping from outside the US to Tennant locations in the US. These procedures cannot be interpreted as a substitute for compliance with applicable governmental regulations. If your company is designated as the Exporter/Importer of Record, it is **your legal responsibility** to understand and comply with export/import laws and regulations of the appropriate countries. Tennant shall not be responsible for your failure to follow applicable export/import requirements.

2. DOCUMENTATION PREPARATION

All documents must be prepared accurately in English and be clearly legible, regardless of output type, e.g., scan to print, fax or hard copy. Refer to the following Sections 2.1 through 2.6 for detailed Tennant requirements on preparing documents for U.S. Imports.

2.1 Bill of Lading / Waybill

- ▶ All Bills of Lading or Waybills must be prepared in English.
- ▶ The supplier/seller shall provide the forwarder/carrier with the information necessary to prepare the Bill of Lading or Waybill for air freight and all ground and ocean shipments. The supplier/seller shall prepare the airway bill for air courier shipments.
- ▶ All Bills of Lading or Waybills must include the following:
 - Forwarder's/carrier's name and address,
 - Foreign supplier's/seller's complete name and address,
 - Seller's (seller's warehouse, factory or 3rd Party Logistics provider) complete name and address,
 - Foreign supplier's commercial invoice number,
 - Ship-to consignee/delivery destination complete name and address,
 - Reference Field: Tennant purchase order(s) or applicable reference number(s),
 - Notify party (if any), and
 - Gross and net weight.
- ▶ For air, the Air Waybill (air courier or air freight) must also include:
 - Master air waybill and House air waybill numbers,
 - Origin airport, and
 - Destination airport.
- ▶ For ground, the Bill of Lading must also include:
 - Ground Bill of Lading number,
 - Seal number (for FTL shipments only), and
 - Destination port.
- ▶ For ocean, the Sea Waybill must also include:
 - Foreign port of departure,
 - Port of discharge / unloading,
 - Destination port,
 - Sea waybill of lading number,
 - Seal number (for FCL shipments only),
 - The acronym, "LCL" (Less than Container Load) or "FCL" (Full Container Load),
 - Precise descriptions of products -OR- import US Harmonized Tariff Schedule (HTS) number, and
 - IMO Internationally-recognized hazardous material code (where applicable).

Additional IMPORTANT requirements for ocean transportation:

- ▶ The sea waybill may cover multiple containers.
- ▶ Always request EXPRESS Bills of Lading!
- ▶ The US Customs 24-Hour Manifest Rule requires the carrier to present specific shipping details to US Customs 24 hours prior to loading, or the container will not be loaded.
 - To avoid delays resulting from non-compliance, the international supplier/seller should contact the freight forwarder/carrier regarding deadline requirements for submission of shipment details.
 - Information incorrectly submitted to US Customs will cause a "no load" and penalties will be applied.
- ▶ U.S. Customs and Border Protection (CBP) have officially adopted the Importer Security Filing (ISF) and Additional Carrier Requirements, published on November 25th, 2008 in the Federal Register. ISF is a security initiative meant to improve monitoring of high-risk cargo entering the United States.
 - These new mandatory regulations are effective January 26, 2009 and affect all U.S. import shipments arriving by ocean vessel. Additional modes of transportation (air, truck, or rail) are currently not affected.
 - The new regulations require the importer and carrier to electronically transmit to U.S. Customs ten (10) + (2) data elements about cargo traveling to the United States by vessel.
 - For more detailed explanation of these data elements, see [ISF - Data Element Definitions, 11.1](#).
 - See ISF (10+2) Data Sheet – Mandatory for all Ocean Shipments (FCL & LCL), pg. 8, for expectations of suppliers related to Importer Security Filing.

Effective January 26, 2010 non-compliance may result in penalties of \$5,000 USD per violation. Tennant suppliers will be required to meet the costs of any penalty caused by supplier negligence.

2.2 Commercial Invoice

- ▶ The foreign supplier/seller must prepare each commercial invoice.
- ▶ All items in a shipment must be declared on a commercial invoice.
- ▶ Every commercial invoice must be in English or accompanied by an English translation.
- ▶ All customs broker notations on the invoice must be in blue or black ink.
- ▶ Every commercial invoice on a shipment destined for the US must include:
 - Seller's, i.e., exporter complete company name and address, including contact name, telephone and email address.
 - Buyer's, i.e., importer complete company name and address.
 - Consignee, i.e., ship-to party complete company name and address, including contact name and telephone number,

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- Shipper's, i.e., ship from complete company name and address, if different from seller,
- Terms of Sale/Freight Payment terms as defined on the agreement between buyer/seller,
- Commercial invoice number and invoice date, and
- Currency of settlement (identify issuing country and monetary denomination).
- ▶ Each line item on the commercial invoice must include:
 - Detailed description of products, including name by which each item is known, Model number(s), Material and/or Part numbers,
 - Tennant purchase order number(s) (or applicable reference number, e.g., return goods authorization number),
 - Country of Origin (county of manufacture) for each product,
 - Item quantities and unit of measure for each product,
 - Purchase price of each product in the currency of the purchase, including unit price and extended price for all goods,
 - "No charge" product(s) must declare actual value for US Customs Clearance.
- ▶ For FCL ocean shipments ONLY, supplier/shipper must also provide the following:
 - Container Stuffing Location complete address, including postal codes where applicable (physical location where shipment is loaded into the container).
 - Consolidator name and complete address, including postal codes where applicable (party that loads or arranges for the loading of the shipment into the container).
- ▶ NOTE: For LCL ocean shipments the freight forwarder is responsible for supplying the Container Stuffing Location and Consolidator information.
- ▶ A sample Commercial Invoice is available; see [Sample Commercial Invoice, 11.2](#). This sample Commercial Invoice is intended to provide guidance on invoice data elements required by U.S. Customs along with Tennant requirements. The exact format of commercial invoices may vary. If you have specific questions, please contact Tennant Customs Compliance department, see [Incoterms 2010, 11.3](#).

2.3 Packing List

- ▶ The international supplier/seller must prepare a packing list.
- ▶ Every packing list must be in English or accompanied by an English translation.
- ▶ First copy of packing list shall be placed inside the carton, box, or crate and marked to note "packing list enclosed."
- ▶ Second copy of packing list shall be placed in an envelope attached to each separate shipment.
- ▶ The packing list shall be folded such that no description of the product is visible from the outside.
- ▶ Each packing list must include:

- Seller's, i.e., exporter's complete company name and address, including contact name, telephone and email address,
- Buyer's, i.e., importer's complete company name and address,
- Consignee, i.e., ship-to party complete company name and address, including contact name and telephone number,
- Shipper's, i.e., ship from complete company name and address, if different from seller,
- Commercial invoice number and invoice date,
- Tennant purchase order number(s) (or applicable reference number, e.g., return authorization number),
- Invoice package/carton and piece/pallet quantities,
- Invoice gross and net weights in metric,
- Measurements (L x W x H) in metric and/or Cubic volume in metric,
- Each line item on the packing list must include:
 - Case number,
 - Detailed description of products, including name by which each item is known, Model number(s), Material and/or Part numbers,
 - Item quantities and unit of measure for each product,
 - Total number of boxes in shipment, and
 - Item gross and net weights in metric.

2.4 Certificate of Origin (CofO), Free Trade Agreement Certificate of Origin and other Tariff Terms

- ▶ In order for Tennant to take advantage of reduced duty benefits under Free Trade Agreements such as NAFTA, US-Australia, US-Chile, etc., the seller/supplier must create a properly executed Certificate of Origin (CofO), if the products sold to Tennant qualify as "originating" under those agreements. Documentation supporting the CofO must be maintained by the seller/supplier for 5 years from the date of export.
- ▶ To qualify goods under the Generalized System of Preferences (GSP), the seller/supplier must provide Tennant with a letter of origin statement, indicating that the goods meet the requirements under GSP, i.e., 35% direct costs of processing requirement and direct shipment from GSP country. Seller/supplier must maintain documentation in its files concerning the production of the merchandise for 5 years from the date of export.
- ▶ If products do not qualify for a Special Program, the seller/supplier shall provide the correct country of origin or where the last "substantial transformation" occurred.
- ▶ Supplier shall update and notify Tennant on a timely and continuing basis of changes in the country of origin, preferential duty treatment programs, harmonized tariff codes, and product information. It is important that seller/supplier cooperate promptly with all information requests and solicitations for product information.
- ▶ For assistance in determining if the product you are selling qualifies for a Special Program, please contact the Tennant Customs Compliance team. See [Custom Compliance Contact List, 11.4](#).

2.5 Hazardous Product Documents

Suppliers/Sellers are responsible for the identification of hazardous materials and compliance with all applicable hazardous material transportation regulations, i.e., Code of Federal Regulations, ICAO, ADR, etc. Suppliers/Sellers are also required to supply Material Safety Data Sheets (MSDS) for all applicable hazardous and non-hazardous materials. For complete details see [Chemicals & Hazardous Products/Materials](#).

2.6 Billing Invoice

- ▶ Every billing invoice must be in English or be accompanied by an English translation.
- ▶ Every billing invoice must include a detailed description of products, including name by which each item is known, Model number(s), Material and/or Part numbers.
- ▶ The billing invoice value must match the commercial invoice value.
- ▶ The billing invoice number must either match or reference the specific (exact) commercial invoice so that Tennant can reconcile the payment to the commercial invoice value.
- ▶ Tennant Accounts Payable will compare purchase order quantities and values against the billing invoice.
- ▶ Billing invoices should be sent by either e-mail, facsimile, or mail/courier to:
 - E-mail: accounts.payable@tennantco.com
 - Fax: (763) 513-2179
 - Mail: Tennant Company
PO Box 1452, MD #79
Minneapolis, MN 55440-1452
USA
- ▶ A valid Tennant Purchase Order number must be included on the billing invoice.
- ▶ The Buyer/Requestor name should be shown on all billing invoices.
- ▶ When you need to send a billing invoice to Tennant, but no import of physical goods occurred, please provide sufficient detail on your billing invoice to identify what the billing is for. For example:
 - No import – goods shipped domestically
 - No import – goods repaired/reworked in country
 - No import – domestic freight charges only
 - No import – goods/tooling retained by supplier

3. DELIVERY TERMS / INCOTERMS 2010

Tennant preferred Terms of Sale and Freight Payment Terms:

In the absence of International Terms of Sale (Incoterms 2010) elsewhere found on Tennant purchase orders, supplier agreements or other contracts with Tennant, the Tennant preferred Incoterms/Freight Payment terms shall be Exworks (EXW) seller's warehouse, freight collect OR Free Carrier (FCA) seller's warehouse, freight collect.

For more details on Terms of Sale, see [Incoterms 2010, 11.3](#).



4. ISF (10+2) DATA SHEET – MANDATORY FOR ALL OCEAN SHIPMENTS (FCL & LCL)

- ▶ ALL ocean shipments destined for US ports require an ISF (10+2) Data Sheet.
- ▶ Supplier must submit the ISF (10+2) Data Sheet a minimum of **4 days before vessel LOADING**. This is to assure US Customs Border Protection (US CBP) Importer Security Filing (ISF 10+2) is completed, submitted and approved by US CBP on time, as required by U.S. Import Regulations.
- ▶ ISF (10+2) Data Sheet must be submitted by the supplier/shipper to Tennant's designated carrier/freight forwarder at time of pickup.
- ▶ For a copy of the Tennant ISF (10+2) Data Sheet, see [ISF \(10+2\) Data Sheet, 11.5](#). Contact the Tennant Customs Compliance team with any questions concerning the ISF (10+2) Data Sheet.

Effective January 26, 2010 non-compliance may result in penalties of \$5,000 USD per violation. Tennant suppliers will be required to meet the costs of any penalty caused by supplier negligence.

5. DOCUMENTATION DISTRIBUTION

For **OCEAN SHIPMENTS**, the supplier/seller is required to provide copies of all shipping documents to Tennant's designated carrier/freight forwarder 4 business days prior to vessel loading date.

Required documents and information to include: **ISF (10+2) Data Sheet, Bill of Lading number, Commercial Invoice and Packing List**. If applicable, also provide Certificate of Origin, copy of Bill of Lading, Material Safety Data Sheet (MSDS), and/or Declarations of Dangerous Goods.

For a copy of the Tennant ISF (10+2) Data Sheet, see [ISF \(10+2\) Data Sheet, 11.5](#).

For **AIRFREIGHT** or **TRUCK SHIPMENTS**, the supplier/seller is required to provide copies of all shipping documents to Tennant's designated carrier/freight forwarder 2 business days prior to departure date.

Required documents and information to include: **Commercial Invoice and Packing List**. If applicable, also provide Certificate of Origin, copy of Bill of Lading, Material Safety Data Sheet (MSDS), and/or Declarations of Dangerous Goods.



6. SHIPMENT PREPARATION

In preparation for shipments destined to the United States Tennant requires specific packaging and labeling identification and country of origin markings.

6.1 Packaging / Labeling

Supplier / Shipper will package and label shipments in accordance with [Material Identification, External Suppliers, 740-02-22](#) and [Packaging Specifications, External Suppliers](#) documentation.

Packaging and Labeling Requirements specific to Importing into the United States include:

- ▶ Packaging, in general
 - All wooden packaging materials must be ISPM15 compliant. Failure to comply with this requirement will result in the return of the goods back to its origin along with potential fines and penalties.
 - The seller's foreign shipper shall provide products in packaging suitable for export to the designated carrier/freight forwarder.
 - The supplier or his agent is required to properly block and brace all shipments to secure the load from moving within the container for the entire shipment, door to door, per International Maritime Standards. This is especially important for less than a container load (LCL or LTL) quantities shipping as a full container load (FCL or FTL). Failure to do so may result in carrier non-acceptance, or if additional safety preparation is required to move the cargo, costs will be passed back to the supplier or his agent.
 - U.S. Department of Homeland Security now requires all containers transiting via ocean are to be sealed using ISO/PAS 17712 Standard seals or bolts. For more information about these requirements, visit the following U.S. Government Customs Border Protection website at http://www.customs.gov/xp/cgov/trade/cargo_security/ctpat/security_criteria/.
- ▶ Country of Origin Markings – See Country of Origin Markings, pg. 10 and include this language in packaging specs.
- ▶ Packing list – See Packing List pg. 4 and include this language into the packaging specifications.

6.2 Country of Origin Markings

Customs law requires that at the time of importation, every article of foreign origin or its container must be marked with its country of origin. The country of origin marking requirements are:

- ▶ Legible, i.e., not hard to read
- ▶ Indelible, i.e., must not fade or smear
- ▶ Permanent, i.e., will not fall off unless deliberately removed
- ▶ Conspicuous, i.e., easy to find
- ▶ In English
- ▶ Must indicate the complete name and address of the “ultimate purchaser”, that is, generally the last party in the United States who will receive the product in the form in which it was imported.

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In order to ensure compliance with the marking regulations and to demonstrate reasonable care, Tennant adopted the following procedure.

- ▶ All articles produced, procured, or repaired by or for Tennant, including “no charge” items provided or returned to Tennant, must be marked with the correct country of origin or where the last substantial transformation occurred. This includes: finished products, sub-assemblies, parts, media recorded with software programs, manuals, accessories, samples, and supply items.
- ▶ Outer containers must be marked with the Country of Origin of their contents.
- ▶ Articles manufactured outside the U.S. shall be marked: **Made in XXX** (where XXX is the full English name of the country of origin).
- ▶ Articles manufactured in the U.S. shall be marked as such under the Federal Trade Commission (FTC) requirements:
 - Assembled Articles – marked e.g., “Assembled in the US of US and Non-US components”.
 - Non-assembly Articles – marked e.g., “Produced in the US of US and Non-US Components”.
 - Please note that under current law, “Made in U.S.A.” or similar markings may only be used for products that are all or substantially all of U.S. origin, i.e., made from virtually 100% USA-origin materials and labor. The standards for “Made in U.S.A.” marking are significantly more stringent than those for foreign country of origin marking and are regulated by the Federal Trade Commission (FTC). Any questions about these requirements should be addressed to [Customs Compliance Contact List, 11.4](#).
- ▶ Foreign suppliers should not deviate from these rules unless approval for the exception is provided by the Tennant Customs Compliance team on the advice of the Tennant Legal Department.
- ▶ Covering or removal of country of origin markings – The country of origin marking should never be removed or defaced, nor may it be covered, obscured or concealed by other labels, such as freight forwarding or shipping labels or instructions, on the article or container.

While this procedure addresses the particular marking requirements under U.S. law, other countries may have similar marking laws that are to be followed when shipping to non-U.S. Tennant locations. Questions about the marking requirements when shipping to non-U.S. locations should be addressed to [Customs Compliance Contact List, 11.4](#).

7. DUTY DRAWBACK

All drawback of duties and rights thereto related to duties paid by Supplier or Tennant upon importation of the Products into the customs territory of the United States that enter into the manufacture of goods or are otherwise subsequently exported from the United States shall accrue to the exclusive benefit of Tennant. Supplier agrees to provide Tennant, upon request, with all documents, records, and other supporting information necessary to obtain any such duty drawback, and agrees to reasonably cooperate with Tennant to obtain such payment.

8. ROUTING INSTRUCTIONS

To request a copy of the Tennant Import Routing Letter, contact us at:

transportationcustomerservice@tennantco.com

Telephone: (763) 540-1494

Fax: (763) 513-1710

9. RETURNED PRODUCTS POLICY

For instructions on returning products originally purchased from Tennant, please contact International Customer Service at intl@tennantco.com.

10. U.S. GOVERNMENT COMPLIANCE

- ▶ **C-TPAT – Customs – Trade Partnership Against Terrorism.** For more information about these requirements, visit the following U.S. Government Customs Border Protection website: http://www.customs.gov/xp/cgov/trade/cargo_security/ctpat/.
 - ▶ The **US Customs 24-Hour Manifest Rule** requires the carrier to present specific shipping details to US Customs 24 hours prior to loading, or the container will not be loaded.
 - To avoid delays resulting from non-compliance, the international supplier/seller should contact the freight forwarder/carrier regarding deadline requirements for submission of shipment details.
 - Information incorrectly submitted to US Customs will cause a "no load" and penalties will be applied.
 - ▶ **U.S. Customs Importer Security Filing (10+2).** For more information about this new ruling, visit the following U.S. Government CBP website: http://www.customs.gov/xp/cgov/trade/cargo_security/carriers/security_filing/
 - ▶ **Wood Packing Material (WPM) Regulations (ISPM15)** – The U.S. Department of Agriculture (USDA) requires all Wood Packing Materials (WPM) coming into the U.S. to be heat-treated or fumigated and appropriately marked as such, using the "IPPC Certified Mark". For more information on these requirements, visit the USDA website at: http://www.aphis.usda.gov/import_export/plants/plant_imports/wood_packaging_materials.shtml
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Date Revision	Section	Revisions
Revision 0	ALL	Supplier Manual – Importing into the United States Created on 09/11/2009
Revision 1	2.2	Commercial Invoice Deleted bullet statement that reads “ HS (Harmonized Schedule) code to the subheading level (6th digit) ”
	3	Incoterms 2000 updated with new Incoterms 2010 that became effective January 1, 2011. Changed language from Incoterms 2000 to Incoterms 2010 and added new document 11.3
	4	Statement “ ISF (10+2) Data Sheet must be submitted by the supplier/shipper to Tennant Customs Compliance team at importexport@tennantco.com “ changed to “ ISF (10+2) Data Sheet must be submitted by the supplier/shipper to Tennant’s designated carrier/freight forwarder at the time of pickup. ”
	5	Statement “ For Ocean shipments, the supplier/seller is required to provide copies of all shipping documents 4 business days prior to vessel loading date. ” changed to “ For Ocean shipments, the supplier/seller is required to provide copies of all shipping documents to Tennant’s designated carrier/freight forwarder 4 business days prior to vessel loading date. ” Statement “ For airfreight or truck shipments, the supplier/seller is required to provide copies of all shipping documents 2 business days prior to departure date. ” changed to “ For airfreight or truck shipments, the supplier/seller is required to provide copies of all shipping documents to Tennant’s designated carrier/freight forwarder 2 business days prior to departure date. ” Deleted Tennant Customs Compliance contact information: Email and Fax number
	8	Routing Instructions Tennant Import Routing Letter webpage link was deleted. Revised entire section with direct contact information for Transportation Customer Service.
	11.3	Created new 11.3 Incoterms 2010 document
	11.4	Created new 11.4 Customs Compliance Contact List document