



Ottawa, March 14, 2003

# CUSTOMS NOTICE N-499

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## **Sufferance Warehouse Operators and Release Notification System (RNS) Problems**

1. This notice concerns parties involved with importing commercial goods. It is a follow-up to Customs Notice N-418, *Sufferance Warehouse Operators and the Release Notification System and Sufferance Warehouse Sub-Location Code*, issued December 14, 2001.
2. Customs Notice N-418 advised that as of July 1, 2002, sufferance warehouse operators may not release goods from their warehouse until they have received one of the following:
  - (a) the original or facsimile customs-stamped delivery authority copy of the cargo control document;
  - (b) an RNS message received directly from the system as an RNS participant; or
  - (c) an RNS message received through the intermediary of a dedicated service provider such as a customs broker.
3. The following outlines changes to the customs policy regarding the acceptance of an RNS or Customs Automated Data Exchange System (CADEX) notification of customs release received by a sufferance warehouse operator from an account security holder (importer or customs broker), during an RNS system problem. This change takes place upon issuance of this notice.
4. The policies outlined in paragraph 2 remain in effect while customs systems are operating properly. However, the CCRA recognizes that an alternative method may be required when system problems occur and this could significantly delay the release of goods from a sufferance warehouse. A specific example of this would be electronic release transactions where there is no customs-stamped customs delivery authority (CDA) copy of the cargo control document (CCD) to serve as the sufferance warehouse operator's notification of release.
5. A system problem may prevent customs from transmitting a release message to the sufferance warehouse operator, even though the importer or customs broker has received an RNS or CADEX release message. The RNS problem may affect one or more service providers with whom CCRA does business. Customs notifies CADEX participants of release through a different medium than RNS.
6. When a system problem is identified by the Electronic Commerce Unit, Client Services Division, the Electronic Commerce Unit will determine if the problem is likely to be resolved within four hours. Where the problem may not be corrected during that time, the Electronic Commerce Unit will send a broadcast message to all EDI participants informing them that a problem has occurred with the RNS. The message will advise clients that during the problem period, those sufferance warehouse operators that are affected by the system problem, may accept a copy of the RNS or CADEX release message received by the importer or customs broker from customs, in lieu of an RNS message as outlined in paragraph 2.
7. The importer or customs broker may send or present their release message to the sufferance warehouse operator as release notification, along with a copy of the broadcast message from the Electronic Commerce Unit. The sufferance warehouse operator may accept the CADEX or RNS release message as their authority to release the goods. The warehouse operator will retain the copy of the broadcast message as well as the release message from the broker or importer for their records.
8. If customs officers find that goods were removed from a sufferance warehouse based on an RNS or CADEX message received from the importer or customs broker under the circumstances outlined previously, a penalty for unauthorized release of goods will not be issued to the sufferance warehouse operator under the Administrative Monetary Penalty System (AMPS).

9. Where customs has successfully transmitted the RNS to the sufferance warehouse operator's service provider, but the sufferance warehouse operator cannot receive/retrieve the release message due to a problem with their system or that of their service provider, these procedures will not apply. The warehouse operator will be required to present the customs delivery authority (CDA) copy of the cargo control document to customs for validation and release of the goods.

10. For more information concerning this notice, contact the following officer:

Mark Laramore  
Release and Warehouse Programs  
Import Process Division  
Operational Policy and Coordination Directorate  
8th floor  
Sir Richard Scott Building  
191 Laurier Avenue West  
Ottawa ON K1A 0L5

Telephone: (613) 952-0202  
Facsimile: (613) 957-8630  
Email: [Mark.Laramore@ccra-adrc.gc.ca](mailto:Mark.Laramore@ccra-adrc.gc.ca)

