

INVENTORS

THE MAGAZINE FOR IDEA PEOPLE →

DIGEST

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Inventors Oath

WHAT A GREAT IDEA: WITH BOB CIRCOSTA

Meet Lee Strebeigh

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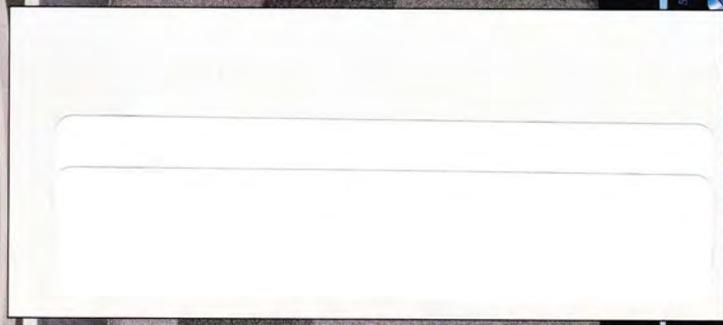
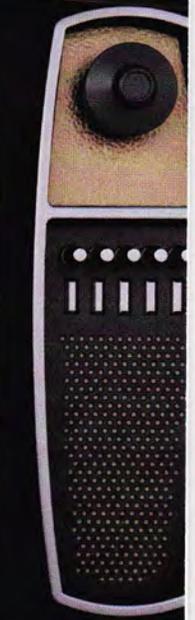
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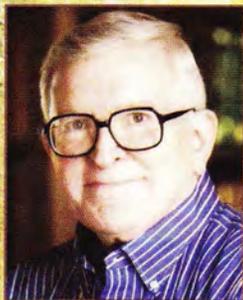
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DHANA COHEN, founder of The Next Big Zing dot com knows a thing or two about great innovation, her website searches out and finds these great products and awards only the best "retail ready" products with The Next Big Zing AWARD! The Next Big Zing has partnered with SkyMall catalog to find the best of the best products each quarter, in conjunction with the UIAUSA.org. Go to www.thenextbigzing.com to find out how you can apply



EDIE TOLCHIN, "The Sourcing Lady" (SM), "invented" EGT Global Trading in 1997, with a goal to link U.S. inventors with Asian manufacturers, to provide an exclusive import service for sourcing, quality control, production testing and safety issues, manufacturing, international financing, air/ocean shipping, customs clearance arrangements, and dock-to-door delivery. www.egtglobaltrading.com



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MANUFACTURING “MUSTS”

By EDIE TOLCHIN

Thinking of manufacturing your invention overseas and importing it into US commerce? Rarely a simple process, here are a few acronyms of government programs, regulations and international trade terminology you should research before you venture into foreign waters, both literally and figuratively:

1) CBP: (US) Customs and Border Protection (www.cbp.gov) is a division of the Department of Homeland Security, and is responsible for securing our borders, while monitoring trade and travel. This watchdog agency supervises US government laws for import, immigration, drugs, among many. CBP will approve (or deny) entry of your new product into this country, when it arrives at the port whether via ocean, air or rail.

2) CPSC / CPSIA: (www.cpsc.gov) The Consumer Product Safety Commission is responsible for safeguarding consumer products, keeping families from danger and saving lives. The CPSC works with other government agencies such as CBP (see #1 above) for example, to ban imports of unsafe products, the FDA (Food & Drug Administration) to prohibit unsafe food items from being sold and distributed, and monitors the CPSIA (Consumer Product Safety Improvement Act), a law that was created in 2008 as a result of the many recalls of tainted products introduced into our country's businesses.

3) PDE: Product Design Evaluation – This handy tool is what I believe is undoubtedly the key, most important step any inventor can take who decides to manufacture a product overseas. First, find a Consumer Product Safety Commis-

sion's accredited laboratory: (<http://www.cpsc.gov/cgi-bin/labsearch>). Contact their Consumer Product Services division, mention you have a new product that you'd like evaluated for safety issues (such as CPSIA – see #2 above), import regulations (such as properly marking and labeling your product), recommended production testing (both optional and mandatory), and their suggestions such as red flags or design flaws that only a trained engineer employed by the lab would be able to detect. The PDE, when done properly, is a very thorough report, usually ranging anywhere between 10 – 30 pages, and can help you determine if it's practical and sometimes even possible to manufacture your invention overseas. Also note that the PDE will cover regulations whether the product is domestically- or foreign-produced.

4) PO: Purchase Order – This is a contract that YOU (the prospective buyer and importer) must create – do not rely on your overseas supplier to make this document! – to clearly outline exactly WHAT you are purchasing, your product's specifications (i.e., color, size, idiosyncrasies, packaging details, etc.), payment and shipping terms (such as FOB Brazil, or CIF Chicago – which will indicate who pays the freight, marine insurance, etc.), unit price, delivery info,

any production testing to be done (see PDE, #3 above), and ALL details you want included for proper, correct manufacture of your product. Never fear that the PO you create will be too wordy; often, the overseas manufacturer NEEDS all the information – and sometimes you should translate vital info into the supplier's language – because you never want to realize you've left something out when your order is on a vessel heading for the USA, or worse, in your customer's possession. When in doubt, spell it out!

5) QC: Quality Control – Have you included information on your PO for the supplier / factory on how YOU want your product made? What production tests will you or they arrange? How many pre-production samples (PPS) or mass-production samples (MPS) should they send you for approval? For example, can they use an alternate component or substitute raw materials? You should thoroughly review your PDE (see #3 above) – even translate excerpts if necessary for your supplier – and make sure all QC issues are addressed BEFORE your order ships.

6) HTS: (<http://hts.usitc.gov>) Harmonized Tariff System (of the United States, sometimes referred to as HTSUS, is a gargantuan publication issued by the US International Trade Commission) – What is the dollar value of import duties you should set aside for your order when it passes through Customs? Import duties? The HTS has product classifications “from soup to nuts,” but with new inventions, it is often difficult for the novice importer to determine a

category into which your new product might fall. When in doubt, I recommend your sourcing consultant or Customs broker arrange a Binding Ruling Request to CBP (see #1) to properly classify your new product, and determine in advance how much you should set aside for import duties. Duty for your product can range from ZERO to approximately 35–40% of unit FOB value (first cost). So, if you have – for example – a \$10,000 order being produced, and Customs assesses a 5% import duty classification via this Binding Ruling procedure, you'll know to set aside \$500 extra for these duties when your order arrives at the port. The Binding Ruling takes up to 30 days after receipt of product sample and information. It is recommended that you arrange your Binding Ruling before you place your PO, so you can include the HTS number, for proper customs clearance information for the shipping documentation that the factory / supplier will arrange with their freight forwarder overseas.

7) FTC: (www.ftc.gov) – The Federal Trade Commission, a helpful government agency whose website is beneficial to surf for information about business, how to apply for an RN# for your product if required ([https://rn.ftc.gov/pls/textilern/wrnreq\\$rn.call_rn?p_mode=INS](https://rn.ftc.gov/pls/textilern/wrnreq$rn.call_rn?p_mode=INS)), proper labeling, etc.

8) GCC / COC / CPC: A new requirement for specific products regulated by the CPSIA (see #2 above), the General Conformity Certificate, Certificate of Compliance – or Children's Product Certificate in the case of products intended

for children of ages 12 and under – is a document that must accompany import shipping documents to be presented to CBP for Customs clearance in the case of imports, as well as sales to retail for both domestic and foreign-made products, where CPSIA-regulated products are involved. Please refer to this link (<http://www.cpsc.gov/about/cpsia/faq/elecfaq.pdf>) for assistance. You, as importer and/or manufacturer, are responsible for the creation of this document.

9) FSI: Final Shipment Inspection – A must-have enhancement to QC (see #5 above) once production tests have passed and your supplier is ready to ship your order, arrange a Final Shipment Inspection with an agency – preferably with headquarters in the USA and satellite offices throughout the area of the world where your overseas manufacturer is located. I use KRT Audit Corporation (www.krtinspect.com). FSIs can address product appearance (are the cartons marked properly for export? Is the correct packaging and labeling used?), functionality (does your product do what it's supposed to do? Are there any burrs in the plastic? etc.), and packing (did the factory use an inferior grade poly bag or is the printing on the paper insert accurate?) An FSI is done according to industry standards, should cost approximately \$275 and will provide you with a thorough report, including photos.

10) ISF: Import Security Filing. Also known as “10+2,” (http://www.cbp.gov/xp/cgov/trade/cargo_security/carriers/security_filing)

the ISF is a document requirement issued by CBP in 2009, which calls for certain data elements to be provided to Customs, at least 24 hours PRIOR to cargo LOADING (not sailing, since vessel loading usually occurs 2–3 days prior to actual sail date), including seller, buyer, importer of record number, consignee number, supplier/manufacturer, “ship to” party, country of origin, HTS# (see #6), also container stuffing location and consolidator info. Although you, the importer, are responsible for providing this ISF to your customs broker (or directly to CBP), your foreign supplier can obtain much of this information for you as a courtesy, from their freight forwarder. Always insist this information be provided to you in a timely fashion, and as a term on your PO (i.e. “if ISF information is not provided to us within the required timeframe and Customs issues a penalty for late filing, this penalty will be deducted from final payment” to supplier).

Now that you have your tools, please tread wisely into those unknown waters. Use your above data to help you navigate. When in doubt, please feel free to contact me, Edie Tolchin – aka “The Sourcing Lady” (SM) and co-author of *Sourcing Smarts: Keeping it SIMPLE and SAFE with China Sourcing and Manufacturing* – with your questions on overseas manufacturing, government import regulations, product safety, special rules for importing children's products, compliance and customs clearance:

EGT@egtglobaltrading.com / www.egtglobaltrading.com / 845-321-2362. Smooth sailing!

2 Critical Steps to getting your NEW PRODUCT "out there"

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