

# Legal Responsibilities of Exporters

## *U.S. Export Administration Regulations*

### A. Products and Customers

1. Determine proper classification of the item and determine if it requires export license.
2. Determine if the item can be shipped to the destination
3. Determine that the end-user is not prohibited from receiving the goods.
4. Determine that the end-use is not restricted or prohibited.
5. Determine that conduct is not in violation of regulations (Example: Contracting, financing, and other support)

### B. Export Presentation and Recordkeeping

1. Provide correct SED, or timely file correct AES information, or provide correct information to forwarder or other filer.
2. Retain export records including export control documents, memoranda, notes, correspondence, contracts, invitations to bid, books of account, financial records, etc. pertaining to shipment. Retention time is 5 years.

### C. Restrictive Trade Practices and Boycotts

1. Report any requests to undertake any actions to further or support a restrictive trade practice or boycott, subject to published exceptions.
2. Retain copies of requests, reports, or documents that would require a report or support a reporting exception, even if no shipment is made. Retention time is 5 years.

## *International Traffic in Arms Regulations*

### A. Determine if item to be exported is on U.S. Munitions List (USML)

1. Obtain U.S. Department of State Export License if required.
2. Electronically file export clearance for licensed items. AES filing can be delegated to forwarder or other filer.

## *Foreign Corrupt Practices Act*

- A. Determine that transactions are not in violation. This act concerns bribes, kickbacks, payoffs, etc. in furtherance of international business.

## *INCOTERMS*

- A. Determine that seller's obligations are met according to INCOTERM used for the transaction.

Disclaimer: Outline above is an interpretation of current regulations and is meant for purposes of awareness only. For exact legal responsibility, the actual regulations must be consulted.