Instructions for Completing Customs Power of Attorney

Please read carefully before completing the Power of Attorney.

Power of Attorney may be notarized, however in addition, proof of signatory authority must be submitted to verify signatures/capacity.

1. In the upper right hand corner, check the appropriate box: Individual, General Partnership, Limited Partnership, Limited Liability Partnership, Corporation, Sole Proprietorship, and Limited Liability Company.
2. State the Employer Identification Number, also known as the federal tax identification number, of the Grantor. If an individual, state the Social Security Number.
3. Type the name of the Grantor. If other than a Corporation, list any "Doing Business As" names that exist. If none, leave blank. It must be the full legal name associated with the registered Employer Identification or Social Security Number as on file with the IRS or in Customs System. The name as shown must match that which is on file with Customs.
4. Indicate if your company is a Corporation, Individual, Partnership, General Partnership, Limited Partnership, Sole Proprietorship or Limited Liability Company.
5. List the state or, if a foreign Grantor, the country and province in which the Grantor is doing business.
6. Provide complete business address where the Grantor resides or has its principal place of business.
7. Type the name of the Grantor. It must be the full legal name associated with the registered Employer Identification or Social Security Number as on file with the IRS or in Customs System. The name as shown must match that which is on file with Customs.
8. Signature
9. Printed name of signor
10. Print capacity of the signatory (title). (President, Treasurer, Vice President, Secretary, CEO, CIO, COO, Partner, Member, Director, Owner or other Duly Authorized Representative).
11. Indicate the date on which the signatory signed the Power of Attorney.
12. To be completed by Notary.
13. U.S. Corporations: Corporate Certification on page 2 must be completed by a party other than the signatory on page 1 and returned attesting to the authority of the signatory to sign the Power of Attorney. If a "Corporate Certification is not provided, a letter from a duly authorized officer of the corporation is required and the letter must certify that the signatory is authorized to sign the Power of Attorney by resolution of the Board of Directors, consistent with the articles of incorporation and bylaws of the Corporation. Please note: The legal relationship is between the principal (corporation) and the agent (broker); an unincorporated division does not have a legal existence. While the parties might have intended to restrict the authority to a particular division, CBP will not recognize such limitation and will assume the signatory has authority to bind the corporation.
14. Foreign Grantors: All foreign Grantors that are not qualified to conduct business in the United States must complete the Non Resident Certification on Page 2 and provide written evidence establishing the authority of the signatory to execute the Power of Attorney on behalf of the Grantor. Note that the Non Resident Certification is to be completed by a second officer of the company other than the signatory on page 1 of the Power of Attorney. Such written evidence must be consistent with the laws of the foreign country. These may consist of 1/ A certificate from a recognized public official indicating legal existence of the company or individual; 2/ A copy of the charter showing what their business is, and mentioning the governing body; 3/ Portion of the charter or articles of incorporation stating who can act on the Grantors behalf; 4/ Copy of the by-laws with resolution, minutes or other documents that indicate conferred authority or existence of the Grantor. If the Grantor is an individual, Proof of Identification would be required.
15. U.S. Partnerships, Limited Liability Partnerships, LLCs, and Sole Proprietorships: If the Grantor is a General or Limited Partnership or LLC, the Grantor shall complete the addendum and state on a separate addendum the names of all Partners, Members, or Directors who have authority to execute the Power of Attorney on behalf of the Partnership or LLC. If the Grantor is a Limited Partnership, the Grantor shall also provide a copy of the Limited Partnership Agreement with the Power of Attorney in order to certify the names of the Partners who are authorized to execute the Power of Attorney. Powers of Attorney issued by Partnerships, Limited Liability Partnerships and Limited Liability Companies are limited to a period not to exceed 2 years from the date of execution. (19 CFR 141.34)

Note: The form must be signed by a duly authorized representative of the grantor (e.g., If a Corporation, the President, Treasurer, Vice President, Secretary, CEO, CFO, CIO, or COO or, if another type of organization the Partner, Member, Director, or Owner). If the signatory is not a Partner, Member, or Director of the Partnership or LLC, or an Owner of the Sole Proprietorship, a letter from the Partnership, LLC, or Owner must be provided certifying that the signatory is authorized to sign the Power of Attorney under the terms of the Partnership or LLC Agreement, or the Sole Proprietorship.

CUSTOMS POWER OF ATTORNEY
Acknowledgement of Terms and Conditions

Identify the type of power of attorney by checking the appropriate box:

☐ Individual
☐ Partnership
☐ Corporation
☐ Sole Proprietorship
☐ Limited liability Partnership
☐ Limited Liability Company
☐ Unincorporated Association

IRS # _____

KNOW ALL MEN BY THESE PRESENTS: That (Importer/Grantor) _____doing business as a _____under the laws of the State of _____, residing or having a principle place of business at_____(Importer/Grantor) hereby constitutes and appoints **Damco Customs Services Inc.,** its officers, employees, and/or specifically authorized agents , to act for and on its behalf as a true and lawful agent and attorney of the grantor for and in the name, place and stead of said grantor, from this date, in the United States (the "territory") either in writing, electronically, or by other authorized means, to:

Make, endorse, sign, declare, or swear to any customs entry, withdrawal, declaration, certificate, bill of lading, carnet or any other documents required by law or regulation in connection with the importation, exportation, transportation, of any merchandise in or through the customs territory, shipped or consigned by or to said grantor;

Perform any act or condition which may be required by law or regulation in connection with such merchandise deliverable to said grantor; to receive any merchandise;

Make endorsements on bills of lading conferring authority to transfer title; make entry or collect drawback; and to make, sign, declare, or swear to any statement or certificate required by law or regulation for drawback purposes, regardless of whether such document is intended for filing with Customs;

Sign, seal, and deliver for and as the act of said grantor any bond required by law or regulation in connection with the entry or withdrawal of imported merchandise or merchandise exported with or without benefit of drawback, or in connection with the entry, clearance, lading, unlading or navigation of any vessel or other means of conveyance owned or operated by said grantor, and any and all bonds which may be voluntarily given and accepted under applicable laws and regulations, consignee's and owner's declarations provided for in section 485, Tariff Act of 1930, as amended, or affidavits or statements in connection with the entry of merchandise.

Sign and swear to any document and to perform any act that may be necessary or required by law or regulation in connection with entering, clearing, lading, unlading, or operation of any vessel or other means of conveyance owned or operated by said grantor:

Authorize other Customs Brokers duly licensed within the territory to act as grantor's agent; to receive, endorse, and collect checks issued for Customs duty refunds in grantor's name drawn on the Treasurer if the United States; if the grantor is a nonresident of the United States, to accept service of process on behalf of the grantor;

And generally to transact Customs business, including filing of claims or protests under section 514 of the Tariff Act of 1930, or pursuant to other laws of the territories, in which said grantor is or may be concerned or interested and which may properly be transacted or performed by an agent and attorney;

Giving to said agent and attorney full power and authority to do anything whatever requisite necessary to be done in the premises as fully as said grantor could do if present and acting, hereby ratifying and confirming all that said agent and attorney shall lawfully do by virtue of these presents:

This power of attorney to remain in full force and effect until revocation in writing is duly given and received by grantee (if the donor of this power of attorney is a partnership, the said power shall in no case have any force or effect in the United States after the expiration 2 years from the date of its execution);

Appointment as Forwarding Agent: Grantor authorizes the above grantee to act within the territory as lawful agent and sign or endorse export documents (I.E., commercial invoices, bills of lading, insurance certificates, drafts and any other document) necessary for the completion of an export on grantor's behalf as may be required under law and regulation in the territory and to appoint forwarding agents on the grantor's behalf;

Grantor hereby acknowledges receipt of Damco Customs Services Inc. terms and conditions and Client hereby consents and agrees that, notwithstanding 19C.F.R. Section 111.24, Damco Customs Services, Inc. is authorized to release all records pertaining to the business between the client and Damco Customs Services Inc. and any information contained therein to any parent, subsidiary, and/or affiliate of Damco Customs Services Inc. Further the client/importer explicitly acknowledges that Damco Customs Services Inc is authorized to direct billing and applicable attachments to Damco USA and/or affiliate of Damco USA, therefore the client/grantor waives transmittal of the entry and bill for services rendered as provided under 19 CFR 111.36.

If the grantor is a Limited Liability Company, the signatory certifies that he/she has full authority to execute this power of attorney on behalf of the Grantor and shall state the names of all members and/or directors on a separate addendum to this document.

If the grantor is a General Partnership, the signatory certifies that he/she has full authority to execute this instrument on behalf of Grantor and shall state the names of all members of the partnership on a separate addendum to this document.

If the grantor is a Limited Partnership or a Limited Liability Partnership, the signatory certifies that he/she has full authority to execute this instrument on behalf of Grantor and shall state the names of the general partners who have authority to execute this instrument on behalf of Grantor on a separate addendum to this document.

The signatory shall also provide a copy of the Limited Partnership Agreement with this instrument.

IN WITNESS WHEREOF, the said _____caused these presents to be sealed and signed

(Signature)_____ Print) _____

(Capacity)_____ (Date) _____

Witness_____

(If you are the importer of record, payment to the broker will not relieve you of liability for U.S. Customs charges (duties, taxes or other debts owed Customs) in the event charges are not paid by the broker. Therefore, if you pay by check, Customs charges may be paid with a separate check payable to the "U.S. Customs Service" which shall be delivered to Customs by the broker. Importers who wish to utilize the procedure must contact our office in advance to arrange timely receipt of duty checks)

INDIVIDUAL OR PARTNERSHIP CERTIFICATION

City_____
County _____ SS _____
State _____
On this _____ day of _____, personally appeared before me _____ residing at _____, personally known or sufficiently identified to me who certifies that _____ (is) (are) the individual(s) who executed the foregoing instrument and acknowledge it to be _____ free act and deed.

(Notary Public) _____

CORPORATE CERTIFICATION

(To be made by an officer of other than the one who executes the power of attorney)
I, _____, certify that I am the _____ of _____, organized under the laws of the State of _____ that _____ who signed this power of attorney was duly signed, and attested for and in behalf of said corporation by authority of its governing body as the same appears in a resolution of the Board of Directors passed at a regular meeting held on the _____ day of _____, now in my possession or custody. I further certify that the resolution is in accordance with the articles of incorporation and bylaws of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said corporation, at the City of _____
This _____ day of _____, _____

Signature _____ Date _____

NON RESIDENT CERTIFICATION

I, _____, certify that I am the _____ of _____ organized under the laws of _____ that _____ _____ who signed this power of attorney on behalf of the donor, is the _____ _____ of said company and that said power of attorney was duly signed, sealed, and attested for and behalf of said company by authority of its governing body as the same appears in a resolution of the Board of Directors passed at a regular meeting held on the _____ day of _____, now in my possession or custody. I further certify that the resolution is in accordance with the articles of the company and bylaws of said company, and certify that it was completed in accordance with the laws of the above stated country.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said corporation, at the City of _____
This _____ day of _____, _____

Signature _____ Date _____

Power of Attorney Addendum

Instructions: Check the applicable box. Complete only the corresponding statement. (Only one statement will apply) For all management structures other than Sole Manager or Sole Member, complete the body of this form to list all other partners, members, managers, and/or directors with authority to bind the firm.

General Partnership – I, _____(name) hereby certify that the following persons and/or companies are the general partners with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____(company), a General Partnership organized within the State or Country and Province of, _____ as follows;

Limited Partnership – I, _____(name) hereby certify that the following persons and/or companies are the general partners, members and/or directors with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____(company), a Limited Partnership organized within the State or Country and Province of, _____ as follows;

Limited Liability Partnership – I, _____(name) hereby certify that the following persons and/or companies are the partners with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____(company), a Limited Liability Partnership organized within the State or Country and Province of, _____ as follows;

Manager Managed LLC - I, _____(name) hereby certify that the following persons/entities are all of the managers and/or directors with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____(company), a Limited Liability Company organized within the State or Country and Province of, _____ as follows;

Member Managed LLC - I, _____(name) hereby certify that the following persons/entities are all of the members and/or partners with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____(company), a Limited Liability Company organized within the State or Country and Province of, _____ as follows;

Sole Manager LLC (OR) Sole Member LLC - I, _____ (name) hereby certify that I am the sole manager/member with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____(company), a Limited Liability Company organized within the State or Country and Province of, _____ as follows; **(If you selected this statement, do not complete the body of this form)**

Name Capacity

(You may list additional partners, members, managers, and/or directors on a separate sheet)

Sincerely,

Signature_____

Name

Capacity

Date

Notice: This document is not valid to certify a Limited Partnership Customs Power of Attorney (POA).
A copy of the partnership agreement is required to be filed with the POA to certify it is valid pursuant to 19 CFR 141.39(a)(2).