



# Exporting e-scrap to Asia

What to consider as the generator of the material

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# Legal, ethical, practical export

- How the laws apply to exporters
- Reputation protection, for you and your clients
- Emerging international law - SEERA



# Legally getting material out of the U.S.

## U.S. Principal Party of Interest

*The U.S. firm shipping the material (Cascade)*

- Relates to shipments of recyclable materials or used equipment
- Standard or **routed** export transactions
- Maintain documentation
- Provide info to forwarding agent
- Screen parties in transaction

## Forwarding Agent

*Freight forwarder managing declarations and filings*

- Power of attorney
- Completes and files Electronic Export Information in the Automated Export System (AES)
- Coordinates with the Foreign Principal Party of Interest / ultimate consignee

# Legally getting material into another country

## Exporter of Record

*Foreign principal party of interest "buying" material*

- Accepts responsibility for export clearance
- Authorizes a forwarding agent to facilitate the export
- Responsible for importation documentation and clearance
- Approved to accept material

## Importing Country Legal Authority

*Considerations of importing country requirements*

- Is the material accepted for import?
  - Consider transit countries as well
  - Domestic laws and multi-lateral agreements
  - Are items declared consistent with tariff codes and importing country requirements?
- Is the ultimate consignee authorized and/or licensed to process materials?



# Where to go for more information

**Bureau of Industry and Security**  
U.S. Department of Commerce  
*Where Industry and Security Intersect*

Search ...

Home About BIS Regulations Licensing Enforcement Compliance & Training Policy Guidance Add'l Programs Data TAC

### Exporter Portal

- Export Control Basics**  
Introduction to Commerce Department Export Controls  
[Learn More >>](#)
- Lists to Check**  
Monitor any parties of concern  
[Learn More >>](#)
- Decision Tree Tools**  
Find out more specifics on exporting  
[Learn More >>](#)
- SNAP-R Login**  
Submit applications, commodity classification requests, and more..  
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- eMail Notification**  
Receive important updates straight to your email  
[Learn More >>](#)
- Online Training Room**  
Explore multimedia online training  
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- STELA Login**  
Track your license application status  
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- Special Countries**  
Discover which countries have unique exporting criteria  
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- EAR**  
Find all about Export Administration Regulation  
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- Best Practices**  
Ensure your exports fully comply with statutory & regulatory reqs  
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## Information for International Buyers of Computer Product



*Cascade is pleased to partner with other resellers and institutions to put our quality refurbished equipment back into the hands of people who can use them.*

[Home](#) > [Resale](#) > [Int'l shipments](#)

When Cascade ships its products, it must abide by the e-Stewards Standard for Responsible Recycling and all applicable laws. Cascade only sells tested and working equipment and describes the condition of all products to buyers during the resale process. All products are sold with a 45 day warranty. Details on Cascade's Resale Terms & Conditions are [available for download](#). Our goal is to provide quality service and products that consistently meet the needs of our buyers to encourage repeat purchases and continual satisfaction.

We understand that some of our products will be sold to international destinations, either directly by Cascade, through a broker, or through other resale channels. When coordinating international shipments, it is important that everyone involved in the purchase and the delivery of the product understands their roles to facilitate the efficient and legal handling of the product.

The following information represents Cascade's policy related to how direct and indirect exports of Cascade product should be managed with our buyers.

- If Cascade sells to a domestic buyer and no international declaration or bill of lading is required . . . Cascade will complete a standard Resale Invoice and clearly identify the "bill to" and "ship to" address for the product transaction. The buyer is expected to reuse the product domestically. If Cascade sells equipment to a broker who may resell the equipment without retesting it, then Cascade requires the broker to provide evidence (such as letters of acknowledged receipt from the final end users or pictures of the retail stores reselling the equipment) to demonstrate the equipment is being reused appropriately.

[cascade-assets.com/resale/intlshipments.html](http://cascade-assets.com/resale/intlshipments.html)

# Where to go for more information



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Trusted, resourceful, hard working . . .broker





# Reputation Protection

Safeguard the interests of your customers and you

Are your broker and recycler legitimate?

- Pre-qualification process
- Verification of ongoing work
- Properly “off-boarding” a cancelled processor

Photo credit: Cascade

# Downstream Audit

Tour the facility, if you can. Otherwise, get onsite information from a reliable source.



## External Audit Report

General Information			
Facility Name	Sunny Jaya Plastic Industries SDN BHD via Sun International Recycling Group		
Website URL	www.sunirg.com		
Physical Address	Kawasan Perindustrian Bukit Minyak 14100 Seberang Perai Penang, Malaysia		
Mailing Address	Same as Above		
Contact Name		Title	
Contact Email		Phone	

Audit Plan			
Auditor(s)	Aaron Piotrkowski		
Date Audit Opened	1/4/2018	Date Audit Completed	1/18/2018
Audit Type	<input type="checkbox"/> Downstream Processor Onsite Audit <input type="checkbox"/> Domestic Processing Partner Audit <input checked="" type="checkbox"/> Downstream Processor Desk Audit <input type="checkbox"/> International Processing Partner Audit <input type="checkbox"/> Other: _____		
Facility Location(s)	Penang, Malaysia		
Audit Scope	Mixed Plastic (PCM) to Malaysia Facility. Note that some documents are in Malaysian. The auditor will be using google translate to review these documents. The auditor is using his best judgment but some errors may occur due to translation.		

Proposed Audit Schedule		
Date/Time	Audit Tasks/Topics	Individual(s) Involved
N/A	N/A	N/A

Audit Notes [summarize audit requirements as determined by Planning Guide]
No specific audit plan being utilized. Working on audit as time permits. <ul style="list-style-type: none"><li>No HEWs may be generated at any point in the Recycling Chain</li></ul>

- Fulfill e-Stewards or R2 requirements
- Verify recycler's capabilities to process material safely and effectively
- Ensure recycler meets legal and other compliance requirements
- Identify and consult local authorities
- Check shipping records through intermediaries to final recovery
- Review management systems
- Also review broker's programs and enlist their help in gathering evidence.

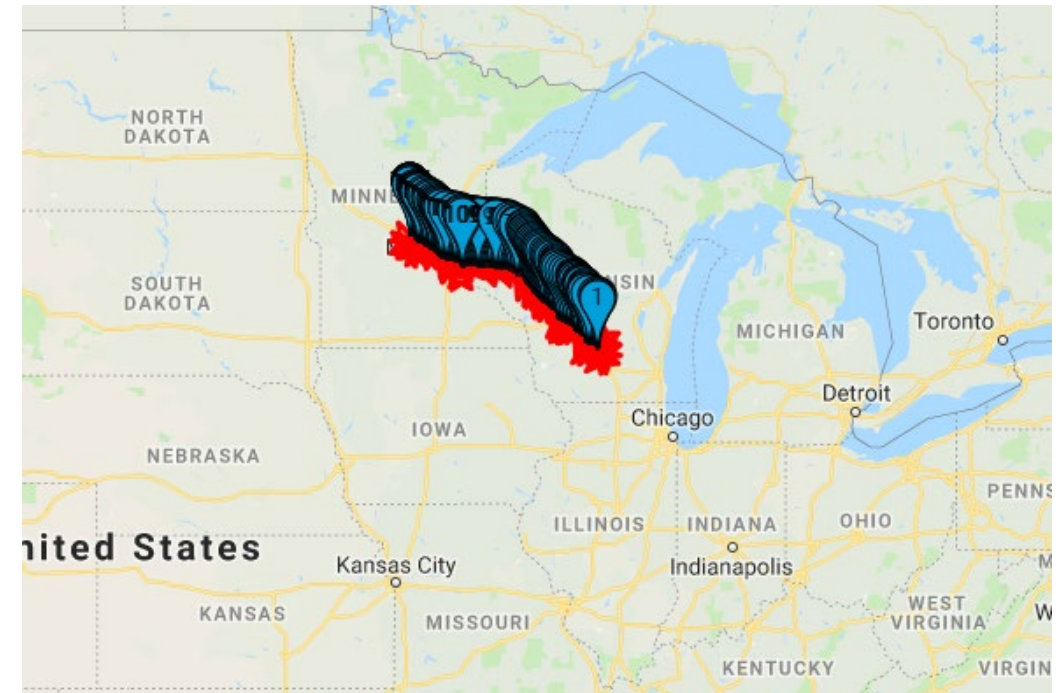


# Verify ongoing work



Photo credit: Cascade

- Collect shipping and receiving records
- Track-Trace.com for container tracking
- EarthEye Trackers



# CASE STUDY

## Follow the trail



Photo credit: BAN, used under license agreement

## Evaluate potential new processor

- Gather internal audit documents listing overseas recyclers
- Review shipping records
  - *Destination facility is not on the list!?!*
  - “Broker forgot to tell us about the change”
- Can recycler import plastic scrap?
  - *Malaysia crack down on imports*
  - Only tariff code HS 3915 accepted
  - Importer must be licensed
  - Recycler must comply with Enviro Quality Act



# Secure E-Waste Export and Recycling Act (SEERA)

HR 3559: Cook (R) and Espaillat (D)

S 2448: Whitehouse (D) and Alexander (R)

- **Covers:** computers, data center devices, mobile phones, monitors, TVs, printers . . .
  - *Excludes: appliances, electronics in vehicles*
- **OK to export**, if item is:
  - *Tested, working*
  - *Shredded/destroyed items exported as a feedstock for direct reclamation*
  - *Recalled by the manufacturer*

*Personal items and devices not changing ownership are exempt from regulation*

## How to legally export:

- Exporter registers with Commerce
- Record each shipment in AES
  - Identify contents of shipment exported, destination countries, and consignee (capability)
    - *Traceability and transparency*
- Documentation accompanying shipments
  - Declaration of compliance with law
  - Description of contents
  - Consignee permits and competence
  - Importing country consent

# Navigating the process

How can a domestic processor manage all this?

## Work with a broker or another domestic processor

- ✓ Understand legal requirements
- ✓ Manage risk appropriately
- ✓ Use the standards as a guide
- ✓ Audit and review regularly



Photo credit: Cascade



# Avoid export problems - Do it... *right*

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