

BDP gateway

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Helping Global Shippers Navigate The Value Chain

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Getting the message

Exercising your technology options – EDI and XML

Extensible Markup Language (XML) is an emerging messaging format for transportation and logistics messaging. XML technology is still developing, but promises to be a very flexible, inexpensive way to exchange data.

Unlike traditional ANSI X12 and UN/EDIFACT messaging, XML allows data content rules to be passed in the message along with the data. This characteristic eliminates the need to utilize traditional data format and data content translators to process information within a message. This is only one of the many benefits that XML offers. Additional benefits are:

- 1. Message readability through humanly readable tag names;*
- 2. Expandable data content and message structure;*
- 3. Growing support for integration of XML in many third party software products; and*
- 4. Ability to integrate XML data content into dynamic web pages through the use of XSL/XSLT.*

(Continued on page 2)

NON-COMPLIANCE CAN BE A RISKY BUSINESS

Are you ready for a Customs audit?

Next to root canal work or discovering your once high-flying technology stock is now worth pennies, the last thing you want to experience is a visit from Customs auditors. With trade rules in a constant state of redefinition, and the need to exercise “reasonable care” at every step, the likelihood of such a visit has increased exponentially for companies of all sizes.

Penalties can be severe and costly. Some companies hope they won't have a problem. Others think they won't have a problem. And still others believe they have done whatever it takes to survive an audit.

There's only one way to be sure. Importers and exporters can get peace of mind by working with a resource that is thoroughly expert in all areas of compliance. However, informed compliance goes far beyond pulling a “how to” book off-the-shelf. It requires planning and commitment.

“Companies are realizing both the need for compliance education and the importance of implementing a program immediately,” states Michael Ford, BDP's Vice President of Regulatory Compliance and Quality. “We're saying they don't have to do it all themselves. By bringing in an outside industry expert the whole process is more practical and a lot more palatable.”

According to Adrienne Graddy, BDP Director of Regulatory Compliance, “Generally, and especially on the import side, compliance is the redheaded

stepchild. Until something bad happens, there's not a lot of attention given to it. If compliance is handled at all, it is often as an adjunct to other, higher priority duties.

Select the right resource

So, who should you call? Some companies may turn to an attorney or an outside company that has a generic program. That's probably not the best decision because those resources are generally not in a position to keep current on the many issues and changes in Customs regulations. Plus, there are few, if any, long-term benefits in paying a high cost for a canned presentation.

“Clients turn to us for our Compliance programs because of our expertise in that area,” Ford states, “as well as our knowledge of the markets and the 'how to's.' They usually look to us to develop the training program topics to meet their business requirements.

“Because there is generally not a dedicated Compliance expert at most companies, the services we provide become even more important. We stress that, especially on the import side, an in-house compliance “specialist” be assigned to set up the compliance program, monitor it, get buy-in from the senior staff in the company, and put together a procedures manual.

Customization is the key

“A qualified industry resource that knows or has a good feel for a company's
(Continued on page 2)



(Non-compliance - continued from page 1)
specific business or industry is going to add significantly more value to the compliance education process,” says Ford.

“Generally, we have found that the majority of clients have a few specific topics they want to cover,” adds Graddy. “Those clients are talking with the operations people at BDP on a daily basis, but may not be dealing with our Compliance teams every day. So we come in for a face-to-face, hear what they want, and agree on a final list of items. Then we will begin to set up the agenda that will be customized to meet their needs.”

“For example, during one of our compliance training workshops with a client,” Ford says, “BDP used that company’s actual shipping documents during the documentation training part of the program. It was immediately more relevant to them to see their materials and not a generic company’s documents.”

Another benefit of our one or two-day workshops is that BDP is on-site at a client’s location. It means we can train a number of people at once, which saves clients the costs associated with travel and lost time. An important part of the workshop is the customized workbook for use not only as a training tool but also as ongoing reference material.

“It is hands-on, real world education and is of immediate benefit to the participants.

You cannot get that with an off-the-shelf training session.”

Michael Ford, BDP Vice President of Regulatory Compliance and Quality

“We can really make the compliance education relate to a company’s business because of what we are doing with them on the operations side,” Ford adds.

“For the client, the discussions and feedback in the sessions often provide confirmation of or adjustment to their current compliance practices. It is hands-on, real world education and is of immediate benefit to the participants. You cannot get that with an off-the-shelf training session.”

(Also see related topics: BDP International’s annual seminar “Survival in a Changing Trade Climate” on page 3 and the Cargill case study on pages 5-6.)

(EDI and XML - continued from page 1)
Many companies understand the potential flexibility and cost benefits of XML. However, as XML technologies are still maturing, some are hesitant to adopt it as a communication format alternative. Companies with significant investments in traditional EDI translators, and the associated software developed to support EDI transactions, must weigh the costs and benefits to introduce XML messaging.

As a preferred solutions provider for several B2B portals and verticals, BDP decided to implement XML into its suite of communication format alternatives. We will continue to leverage our current EDI infrastructure, while implementing support for XML messaging. To achieve this goal, we have implemented a solution that will handle both traditional EDI messaging, as well as XML messaging. This approach enables us to map ANSI X12 and UN/EDIFACT documents to XML and vice versa. This particular solution utilizes an Any-to-Any translator allowing BDP to convert from one message format to any other message format.

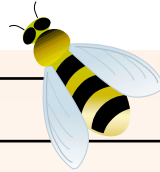
BDP International currently utilizes its XML solution to produce XML messaging for the following:

1. Exchanging data with several B2B portals and verticals; and
2. Exchanging data between various internal back-office and Internet-based applications.

The use of XML is not limited to the exchange of data between trading partners. BDP is currently exploring the use of XML messaging to produce documentation in a universally printable format, such as PDF. A single XML message may now be used for two purposes: first, to deliver documentation data to a trading partner in the XML message, and second, to merge the data from the XML message into a pre-defined forms template, thus allowing the creation of the physical documentation in PDF format.

BDP continues to research different ways to utilize XML messaging to provide its customers and trading partners with technological advantages in their respective marketplaces.

MARKET BUZZ



- ✓ **Based on the percentage of global mobile phone subscriptions by region, Europe (35%) has a slim lead over the Asia-Pacific region (33%), while North America (19%), Latin America/Caribbean (9%) and the Middle East/Africa (4%) lag behind. This disparity is expected to continue for the next three years. Source: Ovum.**
- ✓ **Jupiter Communications estimates that of the \$350 billion to be spent on Internet infrastructure over the next three years, 74 percent will be spent integrating systems so that companies can streamline transactions with customers.**
- ✓ **Information technology outsourcing for 2001 compared with 2000 is estimated to: increase (49%), stay the same (40%), decrease (11%). Source: Informationweek study of 300 IT execs.**
- ✓ **The top three uses of the Internet for e-commerce companies of 1,000 employees or more, according to a study by Cahners In-Stat Group are:
Procuring products (65%),
Supplier/buyer network (50%),
Supply chain management (43%).**

SURVIVAL IN A CHANGING TRADE CLIMATE

Will your company's compliance practices stand up to intense scrutiny?

On June 5, 2001, BDP International will host **Survival in a Changing Trade Climate** – a one-day seminar designed to help importers and exporters reduce costs and keep pace with redefined trade compliance administration laws.

You'll hear from John Simpson, President of the American Association of Exporters & Importers (AAEI), as well as compliance experts representing major U.S. importers and exporters, and the Customs Service. Most important you'll walk away with a clear strategy suitable to your organization's needs in meeting the mandate to exercise "reasonable care."

Sample topics include:

- Anatomy of a customs compliance audit
- Benchmark a leading importer's successful corporate compliance program
- Critical export issues including record keeping, liability under COGSA and highlights of the new Export Administration Act (EAA)
- Classification and Valuation Principles
- Exercising 'reasonable care' in import and export transactions
- Critical import issues affecting free or reduced duty programs including the recently introduced Caribbean and African trade programs, entry correction and Prior Disclosure, NAFTA duty deferral programs, and Remote Location Filing
- Panel discussions on new approaches to Customs processing
- General Rules of Interpretation and country of origin marking requirements

Register today.

Visit www.bdpinternational.com for the latest program updates and for convenient registration.

Survival in a Changing Trade Climate - a one-day Compliance Seminar for Importers and Exporters

Date and Time:

June 5, 2001. 7:30 am to 4:15 pm.

Seminar Location

Hyatt Regency at Penns' Landing
201 S. Christopher Columbus Blvd.
Philadelphia, PA 19106
Tel: 215-928-1234
www.hyatt.com

Seminar Cost

Full Seminar registration – In advance: \$249.

Day of seminar: \$279.

Includes breakfast, access to all sessions, lunch, comprehensive workbook, and Certificate of Completion with NAPM Continuing Education Hours/Credits. Payment for advanced registration must be received by May 30, 2001.

Registration Options

Register on-line: www.bdpinternational.com

Register by fax: Copy and complete this form and fax to:

1-215-629-4537

Registration by mail: Complete this form and mail to:

BDP International, 510 Walnut Street, 5th Floor

Philadelphia, PA 19106, Attn: J. Elko

For questions about registration, call 1-215-629-4552.

Last Name _____ First Name _____

Company/Organization _____

Title _____

Address _____

City/State/Province _____ Zip Code _____

Phone _____ Fax _____

E-mail _____

Payment Options

Full payment required by seminar date

Cancellations must be in writing and received by May 30, 2001

[] Payment enclosed.

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Name on Card _____

Card Number _____ Exp. Date _____

Signature _____

Outsourcing report card

The state of third-party logistics

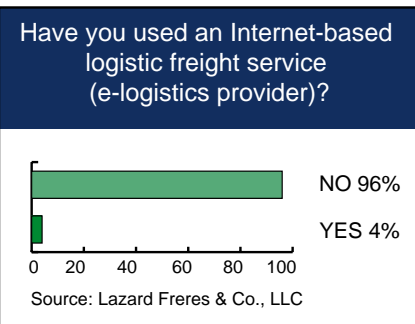
This is the second of two articles excerpted from a survey of global shippers conducted by Lazard Freres & Co. LLC. The survey is intended to gauge both demand for and satisfaction with logistics outsourcing.

This article reviews trends in the emerging area of e-logistics. Lazard Freres is an international financial services consultant.

E-logistics services

E-logistics providers have achieved limited market penetration

The survey reveals that e-logistics providers have achieved limited market penetration with actual, real-world shippers. The first question was straightforward: Have you used an Internet-based logistic freight service (e-logistics provider)? Only 4 percent of survey respondents report that they are using an e-logistics provider. While a low penetration was expected, the low penetration rate coupled with the large number of start-ups suggests that revenue and profit expectations for companies and venture capitalists are likely to prove overly optimistic in the near term. Longer term, the data suggest that the market remains wide open, and it is questionable whether there can be a “first mover advantage” while industry penetration remains under 5 percent.



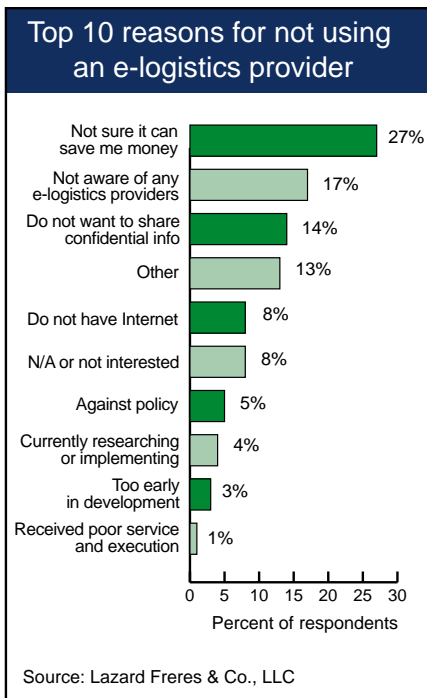
Top reasons why shippers are hesitant to use e-logistics services

The large majority of shippers that are not currently using an e-logistics service were asked to detail the top reasons for not using one of these services. The top reason was doubt about savings, with 27 percent of

non-users saying that they were not sure an e-logistics provider could save them money. This was surprising, as it was not expected that e-logistics providers, which utilize the Internet, a medium known for its low costs, would face doubts about their ability to lower transportation costs. The large percentage of respondents (27 percent) questioning the ability of these providers to save them money suggests that future growth of the industry may disappoint, as most providers are selling their services on the ability to save costs, an idea that has yet to gain wide acceptance.

The second largest percentage of non-users (17 percent) stated that they were not aware of any e-logistics providers. Given the large sums of money spent in recent years by the industry to raise awareness, this response suggests that a large portion of advertising/marketing expenditures may not be hitting the intended audience.

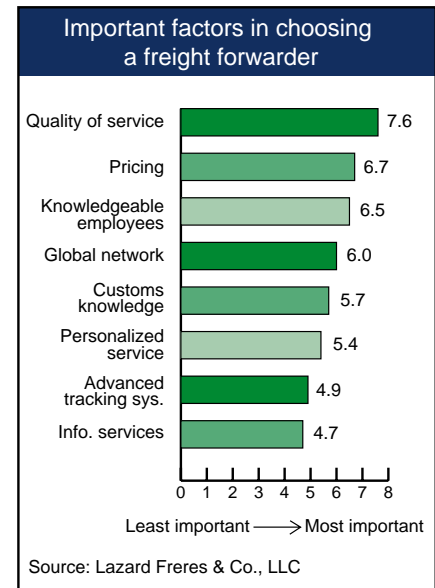
The third most cited reason for not using an e-logistics provider was concerns over sharing confidential information (14 percent). It is believed that this issue may become the industry’s most difficult long-term issue, once price and awareness issues are overcome. Large-scale shippers appear to be concerned that displaying large orders for capacity may push up prices in particular lanes, and may be used by other participants against their will. There may also be concerns about



revealing the shipper’s identity to its core base of transportation providers, who may seek rate increases as a result. E-logistics providers should address this concern with strong confidentiality protections and private auctions/marketplaces.

Top criteria for selecting a freight forwarder

While quality of service continues to rank as the most important attribute when choosing a freight forwarder, pricing remains the second most important for shippers, followed closely by knowledgeable employees and a global network. Surprisingly, advanced tracking systems and information services were least important. These responses seem to contradict written shipper comments about the need for improved information systems before increasing the amount of transportation outsourced. One explanation may be that shippers include information technology resources in their evaluations of overall quality of service.



Lazard Freres fourth annual Transportation Outsourcing and Emerging Trends in Logistics Survey of international shippers – November 2000. Lazard Freres & Co. LLC and Airfreight/Logistics Equity Research.

Compliance Education

Good business sense

Case Study: CARGILL, INC.

Customs rules and regulations can be downright dizzying and daunting for most companies. And if you're not familiar with every nuance of the law, the results can also be very expensive.

Some of the regulations may be surprising and a little confusing. For example, U.S. Customs can prosecute if they believe a company deliberately overvalued goods and actually paid more duty and fees than was necessary. It all has to do with the legal responsibilities of companies. If you're not one hundred percent compliant, your company is vulnerable.

Cargill, a global leader in trading, processing and distribution of agricultural and industrial products, is very conscientious in all areas of import and export compliance. So, why would the Minnesota-based company want to go that extra mile and immerse itself even more in all facets of U.S. Customs rules and regulations?

"Every company has a need for being on top of all compliance issues," says Shari Blattler, Business Unit Controller for Worldwide Acidulants Unit at Cargill's Eddyville, Iowa facility. "BDP, our Customs broker for imports to the U.S., suggested that they could help us take our compliance knowledge to an even higher level." Cargill had expressed an interest in compliance training and after reviewing the program for BDP's 2000 Compliance seminar decided to move ahead. Dialog continued for a

while, until both Cargill and BDP discussed specific topics and attendees.

"What appealed to us was that BDP would customize the training for our workgroup. That's where we got tremendous value out of it. Another plus was that BDP was willing to actually come on to our sites and provide training."

A Customs workshop was held recently for two business units at the company's bioprocessing technology facility at Eddyville, Iowa – this included a vitamin E processing unit, various fermentation products such as citric acid, itaconic acid, and ethanol, along with sweeteners and animal feed. These business units are responsible for exporting to 54 countries, in addition to product imports, so managing the details is especially critical.

The initial training workshop was recommended and hosted by Adrienne Graddy, BDP Director of Regulatory Compliance. "One of the major considerations for companies that want to cover all elements of a compliance program is staying current with the frequent changes that occur," explains Graddy. "The Customs Modernization Act and the Bureau of Export Administration Act and a host of other regulatory agencies have had a big impact. Just keeping up-to-date on pending issues, in addition to new regulations, isn't for the faint of heart. BDP's Compliance Program is as detailed as it is broad. We want to help our clients minimize risks and avoid costly penalties."



"What appealed to us was that BDP would customize the training for our work group."

Shari Blattler, Business Unit Controller for Cargill's Worldwide Acidulants Unit

CARGILL, INC.

Customized knowledge can be a powerful ally

“The training session was excellent, and very enlightening; it was one of the best programs that I have ever experienced,” says Blattler of the one-and-a-half-day workshop on import issues. “All members of the work group were very impressed with Adrienne’s knowledge level and her ability to modify her training style to hit all of our specific needs. It was a very flexible course. BDP said they could provide that type of training in other areas, so we implemented a similar program in our exports area, too.”

Of particular value to Cargill were the compliance discussions that were very specific to their needs. “BDP’s direction and input also enabled us to problem-solve certain issues during the session, which allowed for a lot more effective learning,” Blattler points out. “It emphasized the importance of having a compliance program in place and having the individual business people at the various import locations familiar with the laws and regulations, ensuring that all appropriate steps are taken.

Making a world of difference

“Because it is a fairly complex, rules-driven area, with so many different laws to follow, we found that BDP was able to communicate the issues very effectively and made them much easier to understand. It made a world of difference.

“This type of knowledge gives companies the opportunity, as well as the incentive, to structure their trade so that they do not pay more duty than necessary.”

“We covered many areas that we had not particularly concentrated on, such as tariff engineering, the best way to import unusual goods, and complete compliance requirements. This type of knowledge gives companies the opportunity, as well as the incentive, to structure their trade so that they do not pay more duty than necessary.”


Compliance training can help new business enterprises, too. One of Cargill’s business units in Cedar Rapids, Iowa attended the general exports workshop. About to enter the exports area with a new product line, the individualized, on-site Customs training was especially timely for them, in preparation for their new business development activities. A representative of another of Cargill’s facilities was establishing a new business that involves importing sugar and wanted the opportunity to learn what was needed before the operation actually began. “They very much appreciated the direction they received,” says Blattler.

Long-term commitment

While training is at the core of staying compliant with U.S. Customs, there’s also the need for an ongoing commitment from senior staff at each company.

“Because there is generally not a dedicated Compliance expert at most manufacturing companies, the services we provide become even more important,” Graddy points out. “We stress that, especially on the import side, an in-house compliance “specialist” be assigned to set up the compliance program, monitor it, get buy-in from senior staff in the company, and put together a procedures manual. We help companies to do that.”

Blattler adds, “We definitely followed up on the compliance issues. BDP did a good job of reviewing with us the requirements for importers, what the government expects us to be responsible for, and basically the need for review and files, and assurance that we are complying with all the regulations. We have confirmed we have the right processes in place.

“I would definitely recommend BDP’s compliance training program to other Cargill businesses.” 



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REGULATORY WATCH

PERIODIC UPDATES ON U. S. CUSTOMS POLICIES AND OTHER REGULATORY ISSUES

2001 Export Administration Act

On January 23, 2001, several members of the Senate Committee on Banking, Housing, and Urban Affairs introduced S. 149, the Export Administration Act of 2001. According to one of the bill's sponsors, S. 149 would reauthorize and reform the Export Administration Act of 1979 (EAA). Many new items currently not in existence are being introduced, together with a proposed increase in enforcement and penalties. Following are "highlights" of S. 149 based on a Committee summary.

Export Licensing and Dispute Resolution Procedures. S. 149 would establish criteria for review of export license applications, including the characteristics of the item, the threat to U.S. national security or foreign policy interests, the destination country's tier designation, and the risk of diversion or misuse.

S. 149 would also provide specific timeframes, with exceptions, for the Secretary of Commerce to review export license applications for accuracy and refer them to other agencies as necessary. In addition, each referral agency would have a specific timeframe (with exceptions) in which to approve or disapprove a recommendation by the Secretary of Commerce or be deemed to have no objection to that licensing decision. In addition, S.149 would require the export license application resolution process to be completed or referred to the President within 90 days of the date of the application's initial referral.

National Security Control List. S.149 would (1) establish a National Security Control List for items that contribute to military potential of other countries, or to stem weapons proliferation or deter terrorism and (2) authorize national security export controls, based on the end use or end user, on an item that could materially contribute to the proliferation of weapons of mass destruction.

Items with Foreign Availability or Mass-Market Status. S.149 would remove unnecessary barriers to trade by removing ineffective export controls on items with foreign availability or mass-market status, require the Secretary of Commerce to make a foreign availability or mass-market status determination within six months of receiving a petition for such status from an interested party, but allow the President to re-impose export controls to advance U.S. national security.

S.149 would also provide for enhanced export controls on certain items, regardless of their foreign availability or mass-market status, if the President finds that removing the controls would pose a significant threat to U.S. national security.

Foreign Policy Controls. S.149 would require that foreign policy export controls meet certain criteria designed to target and ensure success of controls, and sunset foreign policy export controls after two years unless specifically renewed.

In addition, S.149 would eliminate foreign policy export controls on exports of agricultural commodities, medicine, and medical supplies, except for countries subject to the Trading with the Enemy Act.

Export Enforcement. S.149 would establish tough new criminal and civil penalties for export control violations, and would also authorize a "Patriot Provision" which would award a person providing information concerning an export control violation leading to the recovery of a criminal or civil penalty up to 25% of the penalty recovered. In addition, S.149 would provide additional funding/resources for export enforcement programs.

S. 149, Committee summaries, etc. available at www.senate.gov/~banking.

According to Congressional sources, S. 149 was expected to be one of the first major pieces of legislation acted upon by the Committee.

Congressional information also indicates that President Bush expressed support for S.149 during the Presidential campaign.

For more information on the EAA, contact Michael J. Ford, BDP Vice President of Regulatory Compliance & Quality at (215) 629-8924, or mford@bdpnet.com.

Reconciliation - Program Amendments

In a F.R. notice dated March 13, 2001, U.S. Customs announced modifications to certain issues identified by Customs and the trade as problematic with the Reconciliation process.

Reconciliation became Customs' preferred method for importers to notify Customs of changes to certain Value, Classification, Assembly, and NAFTA issues on October 1, 1998. On September 13, 2000, the prototype was extended indefinitely. Importers should utilize the Reconciliation program when they know before import entries are made that they have issues that will affect the final liquidations of those entries and those issues that cannot be reconciled until after initial entry has been made.

Modifications as of March 13, 2001 include the following:

1. Aggregate No Change reconciliations no longer need to report original duty, tax, and fee amounts;

(Continued on back page)

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(Continued from page 7)

2. Customs will no longer honor requests for free reports of entries that require reconciliation from the Reconciliation team at their headquarters. Importers can now request "Fee-for-Service" reports from the Customs Finance Center in Indianapolis;

3. Customs will no longer issue monthly "Head's-Up" reports to brokers. No alternatives will be provided;

4. Liquidated damages amounts have been modified. In cases of four or fewer import entries where the reconciliation has been missed or is late, Customs Option 1 amount will be \$100 rather than the previous \$500;

5. Where diskettes are required, Customs advises standardized labeling to be written on the diskettes. Labels are to include the reconciliation entry number, IRS# of the importer, and the calendar year or years covered by the Reconciliation; and

6. The midpoint interest calculation method for Aggregate increases has been extended indefinitely.

All of the above modifications went into effect immediately except for the reduced data required to reconcile No Change Aggregates. This is expected to be available shortly.

If importers have questions or need further information on this subject, go to the Customs website: <http://www.customs.gov/recon>. BDP's Regulatory Team can also be of assistance and can be reached at (610) 595-2878.

Maximizing your freight opportunities to keep costs under control

Getting goods to market at the right price at the right time takes considerable planning and flawless execution. The ability to control your costs allows you the leverage that you will need to face the future in international transportation. BDP sees the following steps as mandatory to help keep your costs in line with the market:

1. Renegotiate your shipping rates yearly.

Know your market and spend the time annually to ensure you have the best possible market rate that your goods can move to your clients. Rates do change yearly and swing with the demand in the market.

2. Create options to move your goods with your selected carriers.

Become a partner with your carrier and set up multiple ways to move goods to your client. Use of all-water service may lengthen the time to market but the cost savings realized can make a difference.

3. Plan ahead - know what your clients expect of you.

Clients will purchase goods from you and expect delivery within a certain time period. Having the ability to source goods from different points and get the goods to market when expected will increase orders and sales.

4. Contract your freight wherever possible even when your volumes may not be enough.

Carriers set different thresholds of minimum containers by trading region. What is a minimum in one area may not be the minimum in another. Knowledge of what the carrier can offer goes a long way. If your volumes are small and sporadic, take that volume to an Ocean Transportation Intermediary and allow them to use their purchasing power to obtain the best market rate for you.


5. Review your carriers for imported goods with the carriers that are used on the outbound side.

Being able to combine your activity level to include imports and exports together gives you greater purchasing power with your carriers.

6. Use multiple carriers to selected areas, whenever possible.

Using multiple carriers to selected areas allows you to use different carriers to get goods to market, thereby contracting with a premium service carrier for the fastest service. Also, set up a different carrier that provides timely service to your clients but without paying a premium price. This allows decisions to be made at order entry time to meet client's expectations.

7. Measure and monitor performance.

The ability to track, monitor and measure performance of the carrier that you have selected lets you know that your clients are being served appropriately. 

BDP U.S. locations: Atlanta, Baltimore, Boston, Charleston, Charlotte, Chicago, Dallas, Edison NJ, Grand Rapids, Harrisburg, Houston, Indianapolis, JFK/NY, Laredo, Los Angeles, Miami, Milwaukee, Norfolk, Philadelphia, Philadelphia Airport, San Francisco, York PA.

Subsidiaries: BDP-Asia Pacific, BDP-Canada

Joint Ventures: BDP/Bernard, BDP Interamerica, BDP/South America.

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Your comments are very important - we are working to make *Gateway* more informative and useful for our readers.

What topic(s) or articles do you find most informative?

What topic(s) or articles do you find least informative?

What other topic(s) or issues would you like to see covered in the future?

Are length of stories:

Adequate___ Too short___ Too long___

Is readability:

Easy___ Difficult___

What can we do to improve readability?

Is type size:

OK___ Too small___

Is the number of pages:

Adequate___ Too few___ Too many___

Have Gateway topics helped you/your business?

No___ Yes___

If yes, how?

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Thank you for your time.

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