

IMPORTANT INFORMATION ABOUT ZONE SCHEDULES

This zone schedule is being made available pursuant to 15 CFR 400.44(e), which states: “The Board shall make copies of zone schedules available on its Web site.”

Availability of this zone schedule on the FTZ Board’s website does not imply that the FTZ Board has approved any rate/charge, policy or other content of this zone schedule. In particular, while the FTZ Board staff intends to conduct spot checks over time, zone schedules are not reviewed for compliance with the public utility requirement (19 U.S.C. 81n, 15 CFR 400.42) prior to making the zone schedules available via the Board’s website.

Pursuant to 15 CFR 400.44(b)(4), a grantee may not assess any specific rate or charge for which the amount – or formula for calculating the amount – does not appear in the zone schedule that the grantee has submitted to the FTZ Board.

Complaints about a grantee’s compliance with statutory and regulatory requirements related to public utility and uniform treatment – including rate or charge amounts/formulas, a grantee assessing a rate or charge amount/formula that does not appear in its zone schedule, and a grantee not affording uniform treatment under like conditions – may be presented to the FTZ Board under 15 CFR 400.45 (which also allows for complaints to be made on a confidential basis, if necessary).

Questions or concerns may be addressed to the FTZ Board staff at (202) 482-2862 or ftz@trade.gov.

**ZONE SCHEDULE
FOREIGN-TRADE ZONE NO. 213**



**LEE COUNTY PORT AUTHORITY
FORT MYERS, FLORIDA**

EFFECTIVE: ___/___/_____

Foreign-Trade Zone #213
Lee County Port Authority
11000 Terminal Access Road, Suite 8671
Fort Myers, Florida 33913

The purpose of this manual is to serve as an introduction to the Lee County Port Authority policies as related to foreign-trade zone operations and to provide a schedule for related services. The information contained herein and the schedule for services will be reviewed periodically and changes will be made in accordance with the recognized need for such changes.

As the grantee of Foreign-Trade Zone No. 213, which was authorized by the Foreign-Trade Zones Board, the Lee County Port Authority serves as the party responsible for area foreign-trade zone administration. Zone operators, operating under this authority, are responsible and liable for compliance and the integrity of operations within their zone site. As the local administrative zone entity, the Lee County Port Authority is responsible for review and approval of proposed changes in zone sites or new zone activity. Upon concurrence with proposed changes in scope of operations, the zone grantee will present such proposals to the responsible government entity.

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1 INTRODUCTION, RULES, & POLICIES OF FTZ #213

1.1 Purpose

The purpose of this Schedule is to set forth internal rules, regulations and general administrative procedures including rates and charges of Foreign-Trade Zone # 213. While portions of this Schedule may reference material from the Foreign-Trade Zones Act (FTZ Act), the Foreign-Trade Zones Board Regulations, the U.S. Customs Regulations and, the U. S. Customs Foreign-Trade Zone Manual, this schedule is not intended to interpret or represent FTZ requirements, other than those implemented by the Lee County Port Authority as grantee.

1.2 Introduction

Foreign-Trade Zones (zones) are restricted-access sites in or adjacent to a Customs port of entry, operated under the principles of a public utility under the sponsorship of a zone grantee authorized by the Foreign-Trade Zones Board, with zone operations under the supervision of U.S. Customs and Border Protection (CBP). The objective and public policy of Zones is the creation and maintenance of employment through the encouragement of operations in the United States which, for tariff reasons, might otherwise have been conducted abroad.

Foreign and domestic merchandise may be moved into zones for operations not otherwise prohibited by law involving storage, exhibition, assembly, manufacture or other processing. The usual formal Customs entry procedure and payment of duties is not required on the foreign merchandise unless and until it enters Customs territory for domestic consumption, in which case the importer ordinarily (with FTZ Board approval and subject to the FTZ Act) has a choice of paying duties either on the original foreign material or on the finished product. Quota restrictions do not normally apply to foreign goods stored in zones, but the Board can limit or deny zone use in specific cases on public interest grounds. Domestic goods moved into a zone for export may be considered exported upon admittance to the zone for purposes of excise tax rebates and drawback. Goods in a zone for a bona fide Customs reason are exempt from state and local taxes.

1.3 Grant of Authority

Pursuant to a grant issued by the Foreign-Trade Zones Board, the Lee County Port Authority was granted the privilege to establish, operate, and maintain a Foreign-Trade Zone within the adjacency of the Fort Myers CBP Port of Entry under the provisions of the Foreign-Trade Zones

Act (19 U.S.C. 81a - 81u). FTZ #213 reorganized under the Alternative Site Framework (ASF) which allows for greater flexibility and responsiveness to serve single-operator/user locations within the ASF service area. The ASF service area for FTZ #213 includes Lee, Charlotte, and Collier counties in their entirety. Locations outside of the ASF service area, but within the adjacency of the Fort Meyers Port of Entry, may be served via the Traditional Site Framework (TSF).

1.4 Administration of Zone Project

The Lee County Port Authority's role as grantee shall be limited to general oversight responsibility to ensure that the reasonable needs of the business community are served by Foreign-Trade Zone #213. Operation of zone sites shall be delegated to the operator(s) who will assume responsibility for compliance with all regulations of CBP, the Foreign-Trade Zones Board and other relevant government agencies. Inquiries regarding the administration of FTZ #213 may be referred to:

Foreign-Trade Zone #213
Lee County Port Authority
11000 Terminal Access Road, Suite 8671
Fort Myers, Florida 33913

1.5 Grantee Zone Schedules

A foreign-trade zone shall be operated, maintained, and administered by the grantee under, among other regulations, the regulations fixed by the grantee and reviewed by the Foreign-Trade Zones Board. The zone rules and regulations, usually referred to as the zone schedule, shall be posted on the FTZ Board website. The zone schedule shall contain a section listing rates and charges for zones and subzones with information sufficient for the Board or the Executive Secretary to determine whether the rates or charges are reasonable based on other operations in the port of entry area, and whether there is uniform treatment under like circumstances among zone users.

1.6 Application of Foreign-Trade Zone No. 213 Tariff

The rules, regulations, and rates and charges of the zone schedule shall apply to Foreign-Trade Zone No. 213, its subzones and annexes unless otherwise provided for. Users are subject to specific rules, rates, and charges of zone site operators. All rates and charges for services or privileges within the zone shall be fair and reasonable, and the operator shall afford to all who may apply for use of the zone and its facilities and appurtenances uniform treatment under like

conditions, subject to such treaties or commercial conventions as are now in force or may thereafter be made from time to time by the United States government with foreign governments.

1.7 Grantee, Operator, and User Duties

The Foreign-Trade Zones Board does not own or operate any zones. Rather, it provides grants to applicants to establish, operate, and maintain zones. The Lee County Port Authority, as grantee, shall execute a contract with another party or parties for the operational management of the zone sites. Various tenants may lease space and construct buildings in the zone and physically run their operations in the buildings, while others may pay the zone operator a fee for handling their merchandise and performing related services.

a) Grantee

A grantee is a public or private corporation to which the privilege of establishing, operating, or maintaining a foreign-trade zone has been given. The Lee County Port Authority's role as grantee shall be limited to its general oversight responsibility to ensure that the reasonable needs of the business community are served by Foreign-Trade Zone #213.

b) Operator

An operator is a corporation, partnership, or person that operates a zone site or subzone under the terms of an agreement with the zone grantee. The Lee County Port Authority, as grantee, delegates the responsibility for operation of zone sites to the operator(s) who will assume responsibility for compliance with all regulations of CBP, the Foreign-Trade Zones Board and other relevant government agencies.

c) Zone User

A zone user is a corporation, partnership, or person that uses a zone or subzone for storage, handling, processing, or manufacturing merchandise in zone status, under an agreement with an operator. Usually, the zone user is the party which requests a Customs permit to admit, process, or remove zone status merchandise. In subzones, the operator and user are usually the same party. A fee is normally assessed by the Grantee to Subzone and Magnet Zone Site operators to cover administrative cost related to zone operations. Magnet Zone Site users pay the operator for services such as rent on facilities, administrative, handling and

similar services. They may be permitted by the grantee to construct their own buildings or structures in which they conduct their own business.

1.8 All Persons Entering Zone Bound by Regulations

All persons entering a zone for any reason whatsoever shall be bound by the regulations of the Board, CBP, the grantee and operator of the Zone.

1.9 Operation of FTZ #213 as a Public Utility

FTZ #213 shall be operated pursuant to 15 CFR 400.43, which states: “Pursuant to Section 14 of the FTZ Act (19 U.S.C. 81n), a grantee shall afford to all who may apply to make use of or participate in the zone uniform treatment under like conditions. Treatment of zone participants within a zone (including application of rates and charges) shall not vary depending on whether a zone participant has procured any zone related product or service or engaged a particular supplier to provide any such product or service.”

2 RATES/CHARGES ASSESSED FOR FTZ #213

2.1 Foreign-Trade Zones Board Application Fees

Per 15 CFR Part 400.29, the FTZ Board charges fees for certain types of application requests.

TYPE OF APPLICATION	AMOUNT
Additional magnet zones (Sec. 400.21; Sec. 400.11(a)(2))	\$3,200.00
Special-purpose (non-ASF) subzones (Sec. 400.25): Not involving production activity or involving production activity with fewer than three products	\$4,000.00
Special-purpose (non-ASF) subzones (Sec. 400.25): Production activity with three or more products \$6,500	\$6,500.00
Expansions (Sec. 400.24(b))	\$1,600.00

2.2 Grantee Administration Fees

The following administrative fees are payable to Lee County Port Authority as Grantee of FTZ #213.

TYPE OF APPLICATION	AMOUNT
Major Modification to a Zone Project (Magnet Site Expansion or New Magnet Site)	\$4,000.00
Minor Boundary Modification (ASF Usage-Driven Site or ASF Subzone Sites)	\$2,000.00
Special Purpose Subzones (outside of the ASF Service Area)	\$8,000.00

2.3 Annual Fee Per Zone Site*

The following fees will be due annually to Lee County Port Authority as Grantee of FTZ #213.

TYPE OF SITE	AMOUNT
Magnet Site (On Airport)	\$1,000.00
Magnet Site (Off Airport)	\$1,000.00
ASF Usage-Driven Site or ASF Subzone	\$5,000.00
Special Purpose Subzone (outside of the ASF Service Area)	\$5,000.00

*In addition to the foregoing rates there is a charge of \$.01 per square foot of activated area, and, for jet fuel admitted into the Zone in privileged or nonprivileged foreign status, a fee calculated at the rate of: (a) zero for the first 3,000,000 gallons received annually; \$0.0025 per gallon for the next 3,000,000 gallons received annually; and (c) \$0.005 per gallon in excess of 6,000,000 gallons received annually.

Zone Schedule
Foreign-Trade Zone No. 213
Lee County Port Authority

3 GLOSSARY OF FTZ TERMS

Act – The Foreign-Trade Zones Act of June 18, 1934 (48 Stat. 998 1003; 19 USC. 81a 81u), as amended by Public Law 566, 81st Congress, approved June 17, 1950 and all lawful amendments.

Activation – Approval by the grantee and the U.S. Customs and Border Protection Port Director permitting operations to begin which allow the admission and handling of merchandise in zone status.

Admission To Zone – The physical arrival of goods into a zone in a specified zone status with the appropriate approvals of the zone grantee and the U.S. Customs and Border Protection. The term “admission” is used instead of “entry” to avoid confusion with Customs entry processes under Parts 141-144 of the Customs Regulations.

Alteration – A change in the boundaries of an activated zone or subzone; activation of a separate site of an already activated zone or subzone with the same operator at the same port; or the relocation of an already activated site with the same operator.

Alternative Site Framework (ASF) – The “framework” to manage FTZ sites that gives much greater flexibility to use simple minor boundary modifications (instead of more complicated and time-consuming procedures) to bring FTZ designation to locations where a company is ready to pursue using FTZ procedures. Lee County Port Authority maintains and operates FTZ No. 213 under the ASF.

Annual Report – The Board shall submit an annual report to Congress. Grantee shall submit a complete and accurate annual report to the Board within 90 days after the end of the reporting period. Each zone operator of an activated site or subzone shall post to OFIS a complete and accurate annual report by February 15 of each year covering activity from the previous year. Each nonactivated site or subzone partner shall submit a complete and accurate annual report, which is due in the form of a status letter to the Grantee Administrator by February 15 each year covering activity for the previous calendar year. Zone Operators failing to submit timely reports may incur a fine of \$1,000 per day.

Board – The Foreign-Trade Zones Board (FTZB) was created by the Act to carry out provisions thereof. The Board consists of the Secretary of Commerce, who is the chairman and executive officer, and the Secretary of the Treasury, or their designated alternates. The Foreign-Trade Zones Board Staff is responsible for administering the FTZ program on behalf of the FTZB. The Executive Secretary of the FTZB Staff represents the Board in administrative, regulatory, operational, and public affairs matters. The Executive Secretary serves as the director of the staff which is situated in the U.S. Department of Commerce within the Import Administration.

Customs (CBP) – U.S. Customs and Border Protection.

Customs Form 214 – Application and permit to admit merchandise into a Foreign-Trade Zone, permit to transfer merchandise through the Customs territory to Zone and Customs officer's return thereon, and Customs report of merchandise received at Zone.

Customs Form 216 – Application and permit for the manipulation, manufacture, exhibition or destruction of merchandise within a Foreign-Trade Zone and Customs officer's return.

Customs Territory – The territory of the U.S. in which the general tariff laws of the U.S. apply. “Customs territory of the United States” includes only the States, the District of Columbia, and Puerto Rico.

Domestic Status Merchandise (D) – Merchandise that has been (i) grown, produced or manufactured in the U.S. and not exported therefrom, (ii) previously entered into the commerce of the United States as duty and tax free, or (iii) previously imported into Customs territory and properly released from Customs custody. This means imported merchandise on which all necessary duties and taxes, if applicable, have been paid, and upon which no drawback has been claimed, is considered domestic merchandise when admitted to a Foreign-Trade Zone. No application or permit is required for the manipulation, manufacture, exhibition, destruction, or transfer to Customs territory of domestic status merchandise (including packing and repair materials) except when it is mixed or combined with merchandise in another zone status or upon order of the Commissioner of Customs. All domestic status merchandise in a zone must be accounted for under the procedures of 19 CFR Part 146 Subpart B.

Exhibition – Upon application pursuant to section 19 CFR 146.52 and approval by the port director of Customs, the showing of merchandise in the zone is permitted. This application and approval may be submitted and obtained on a case by case basis or blanket basis.

Foreign Status Merchandise – Imported merchandise, which has not been released from Customs custody into the Customs territory of the United States. This means imported merchandise upon which duty and taxes, if applicable, have not been collected.

Foreign-Trade Zone Forms – Forms used in the transaction of Foreign-Trade Zone business are designated by the U.S. Customs & Border Protection. As such, these forms may be completed by the Zone Tenant (person of record), its duly assigned Customs Broker, or the Zone Operator. The Foreign-Trade Zone forms utilized by FTZ #213 are as follows:

Customs Form 214 Application for Foreign-Trade Zone Admission and/or Status Designation (electronic submission of the CBPF 214 data is referred to as an eCBPF 214 or e214)

Customs Form 216 Application for Foreign-Trade Zone Activity Permit

Fungible Merchandise – Merchandise that for commercial purposes is identical and interchangeable in all situations. In an FTZ, fungible merchandise may be identified by an inventory method authorized by Customs, which is consistently applied, such as FirstInFirstOut (FIFO) and using a unique identifier.

Magnet Zone – A multiuse zone designed for use by multiple tenants engaged in multiple activities that may include storage, distribution, testing, repackaging and repair. Manufacturing may take place in a magnet zone with prior permission by the Foreign-Trade Zones Board.

Grantee – A Grantee is a public or private corporation to which the privilege of establishing, operating, or maintaining a Foreign-Trade Zone has been given. The privileges of establishing, operating, and maintaining Foreign-Trade Zone No. 213 have been granted to Lee County Port Authority.

Imports – Foreign merchandise of every description (except articles specifically and absolutely prohibited by statute) entered into the Customs territory to become a part of the domestic supply for the purpose of domestic commerce or consumption, and particularly that which is entered into the Customs territory through the zone. A distinction is made between such imports into the commerce of the United States and foreign merchandise which, under the laws and regulations of various other Federal agencies having jurisdiction within the zones, is said to be "imported" into Foreign-Trade Zones, Customs bonded warehouses, or Customs custody. This latter merchandise, in relation to operations of the zones, is considered to be foreign merchandise until its entry into the Commerce of the United States.

In-bond – A Customs program that provides for transporting cargo (other than explosives and merchandise, the importation of which is prohibited) via bonded carrier from one port to another under a Customs bond.

Imported merchandise, including that imported in mail shipments, being transported to and from Foreign-Trade zones through the Customs territory must be transported in bond under the provisions of 19 CFR Parts 18, 112, and 125. (19 CFR 146.11 and 144.37(g)). Domestic goods transported to a zone or goods removed from a zone comprised wholly of domestic status products need not be transported in bond.

Inventory Control System – A system of inventory control, manual or automated, based on records maintained by a Zone Operator or tenant rather than by the U.S. Customs & Border Protection. An operator shall maintain the inventory control and recordkeeping system of the zone in accordance with the provisions of 19 CFR Part 146. An operator shall maintain either

manual or automated inventory control and recordkeeping systems or a combination of manual and automated systems.

Magnet Site – Type of ASF site intended to attract multiple potential FTZ operators/users. Magnet sites are subject to a default sunset period of 5 years, where designation self-removes if there is no zone activity at the site before the sunset date.

Manipulation – As defined in Section 562 of the Tariff Act, processing wherein merchandise is packed, unpacked, repacked, cleaned, sorted, graded or otherwise changed in condition. The precise distinction between manipulation and manufacturing is subject to interpretation and enjoys a long history of case law.

Manufacturing – See Production.

Non-Privileged Foreign Status Merchandise (NPF) – Foreign merchandise subject to tariff classification according to its character, condition and quantity as constructively transferred to Customs territory at the time the entry or entry summary is filed with U.S. Customs & Border Protection. In other words, a status of merchandise for tariff purposes that provides for classification and appraisal in accordance with the condition of merchandise when constructively transferred to the Customs territory of the United States. In a zone, NPF merchandise may be changed to Privileged Foreign (PF) before any processing has occurred, at the option of the zone user and with approval by Customs. Waste recovered from any manipulation or manufacture of PF or NPF merchandise in a zone has NPF status. NPF status is usually selected when the duty rate of the finished product is lower than the duty rate of the imported foreign components in a manufacturing environment. Domestic merchandise in a zone which by reason of noncompliance with the Customs Regulations has lost its identity as domestic status merchandise will be treated as nonprivileged foreign merchandise.

OFIS – The Online FTZ Information System. This is the FTZ Board’s online system that will provide information on each zone in one location and also allow for the online submission of annual reports. Grantees submit the annual reports via the OFIS.

Open or Yard Storage – The keeping of merchandise not requiring weather protection on open space within the fenced area of the Foreign-Trade Zone.

Operating Agreement – An agreement executed between the Grantee and an operator of either a subzone or a magnet zone site. Prior to activation of the site, the operating agreement will be executed. The operating agreement spells out the timeline for payment of annual fees and submission of report via OFIS for activated operators. Activation cannot occur without an executed agreement.

Owner – The owner of the merchandise, which is being admitted to, stored in, transferred from or otherwise availing itself of the benefits of the Zone.

Port Director – The Port Director of U.S. Customs & Border Protection Fort Meyers, FL.

Privileged Foreign Merchandise (PF) – Foreign Merchandise subject to tariff classification according to its character, condition and quantity at the rate of duty and tax in force on the date of filing the CBPF 214. In other words, a status that, upon proper application and approval anytime preceding manufacture or manipulation within a zone, is granted to an imported input, allowing the zone user the privilege of treating the input, for tariff purposes, as remaining in its original condition at the time of admission to the zone. Once established, Privileged Foreign Status cannot be changed except in the case of recoverable waste (see 19 CFR § 146.42). If merchandise has already been admitted into the zone in Non-Privileged Foreign Status, Privileged Foreign Status may be obtained by filing a CBPF 214. Application for this status, however, must be filed prior to manipulation or manufacture.

Admitted merchandise subject to AD/CVD (antidumping or countervailing duties) must be placed in PF status. Merchandise in PF status or composed in part of PF status may not be entered for warehousing from a zone and cannot be placed on a TIB upon removal from the zone. Classification of merchandise subject to a tariff rate import quota will be made only at the higher non-quota duty rate in effect on the date PF status was granted. Mandatory PF status may be imposed by the FTZ Board as a form to grant restriction to prevent the inverted tariff benefit.

Processing – See Production.

Production – Activity involving the substantial transformation of a foreign article resulting in a new and different article having a different name, character, and use, or activity involving a change in the condition of the article which results in a change in the customs classification of the article or in its eligibility for entry for consumption.

Production as defined by the Foreign-Trade Zones Board, combines manufacturing and processing activity. The Foreign-Trade Zones Board requires that specific prior authorization be obtained for production activity in the activated zone.

Manufacturing means activity involving the substantial transformation of a foreign article resulting in a new and different article having a different name, character, and use. U.S. Customs & Border Protection determines what constitutes manufacturing on a case by case basis, distinguishing it from other operations such as manipulation, processing, production, and blending.

Processing means any activity involving a change in condition of merchandise, other than manufacturing, which results in a change in the Customs classification of an article or in its eligibility for entry for consumption.

Quantity – The numerical count of the units composing a shipment of a commodity except bulk commodities which must be measured by weight, size or gallonage.

Re exports or Reshipments – Merchandise from one foreign country initially destined to the United States which, after being unladen, stored and/or manipulated or manufactured in this country, is transported under a new bill of lading or other new documentation to another foreign country. The term is particularly applied to re-exports or reshipments through a Foreign-Trade Zone.

It includes privileged, non-privileged, or zone restricted foreign merchandise which: (1) is in the same condition as when transported into the United States, or (2) has been manipulated without any change in its form or nature, or (3) has been manipulated or processed in such manner as to change its form, whether or not mixed with domestic merchandise, provided the domestic merchandise is not a component part or substantial ingredient thereof. Generally, it includes all merchandise of foreign origin, which has not been so manipulated or manufactured as to be deemed a product of the United States, and which has not been released from Customs custody into the Customs territory.

Secretary – The term "Secretary" refers to the Secretary of Commerce.

Service Area – The geographic area (such as specific counties) where FTZ No. 213 is able to propose future FTZ usage driven sites or ASF subzone sites. Sites located outside the service area may be served as subzones. The FTZ 213 ASF service area includes Lee, Charlotte, and Collier Counties (in their entirety).

Storage – Keeping of merchandise in or upon the premises within the Foreign-Trade zone. Covered storage is within a covered and enclosed structure affording weather protection. The term "storage", without other designation, ordinarily implies covered storage.

Subzone – A special purpose zone established as part of a zone project for a limited purpose that cannot be accommodated within an existing zone. The term "zone" also applies to a Subzone, unless specified otherwise.

Sunset Limits – FTZ designation self-removes if there is no FTZ activity at the site before the sunset date. For Magnet sites, the default sunset period is 5 years. Usage Driven sites have a 3year sunset period. FTZ activity at a site during the sunset period resets the sunset date for an additional 5 years (Magnet) or additional 3 years (Usage Driven).

Transfer – To take merchandise with zone status from a zone for consumption, transportation, exportation, warehousing, cartage or lighterage, vessel supplies and equipment, admission to another zone, and like purposes.

Unique Identifier Number (UIN) – The numbers, letters, or combination of numbers and letters that identify merchandise admitted to a zone with zone status.

Unit of Quantity – The customary groupings of a commodity as a unit to indicate the medium or method of measure. The unit of quantity in zone records will be consistent with those annotated in the Harmonized Tariff Schedule of the United States.

United States – The several States, District of Columbia and Puerto Rico. The term "United States" includes all territories and possessions of the United States, except the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.

Usage-Driven Site – Sites designated to meet a specific operator/user's present need for FTZ designation (rather than to attract potential future operators/users). A Usage-Driven site is tied to the specific operator/user for which it was designated and could not be used by any other entity. However, a site vacated by one operator/user could easily be designated as a Usage-Driven site for another operator/user through an additional simple minor boundary modification (MBM) action.

User – a party using a zone under agreement with the Zone Grantee or Administrator. The Zone User is the party that receives the benefits associated with zone activity. A Zone User can also be the Zone Operator.

User Agreement – An agreement executed between the Grantee/Operator, a subzone user, or user of magnet zone space that is not owned or leased by the Grantee/Operator, but rather a firm under contract to be the Grantee/Operator. Prior to activation of the site, the user agreement will be executed and will outline the amount of annual fees, which the subzone or magnet zone user will pay to the Grantee/Operator. Activation cannot occur without an executed agreement.

Warehouse – A covered and enclosed structure, affording weather protection, used primarily for short or long term storage of merchandise, and often containing business offices. In a Foreign-Trade Zone it also is used for manipulation, manufacture, and exhibition of merchandise.

Weight – The gross weight of the merchandise including container, except as noted to the contrary.

Zone – The term "Zone" refers to a Foreign-Trade Zone and/or Foreign-Trade Zone No. 213.

Zone Control Number or Admission Number – a unique and sequential number assigned for numbering shipments admitted to a zone under Section 146.32(a) of the Customs Regulations; a sequentially numbered system for each CBPF 214, which serves as the unique identifier for each admission of merchandise at the FTZ.

Zone Fees – Zone fees are charged to help offset the Grantee’s costs to administer the zone project, facilitate compliance with FTZ requirements, provide marketing and educational seminars, etc. Zone fees apply to all sites and subzones, activated or not, unless terminated, expired, suspended or lapsed. Fees include onetime fees for application and activation services, modifications, and production authority. Annual fees apply to activated and nonactivated sites and subzones.

Zone Lot – A collection of merchandise maintained under an inventory control method based on specific identification of merchandise admitted to the Zone by lot.

Zone Operator – An Operator is a corporation, partnership, or person that operates a zone under the terms of an agreement with the grantee. With permission from Lee County Port Authority and U.S. Customs & Border Protection, companies may act as their own Operator of their own facilities within FTZ No. 213

Zone Project – the Zone plan, including all of the Zone and Subzone sites that the Board authorizes a single Grantee to establish.

Zone Restricted Merchandise (ZR) – Merchandise taken into a zone for the sole purpose of exportation, destruction (except destruction of distilled spirits, wines, and fermented malt liquors), or storage may be given zone restricted status on proper application. ZR status can be requested at any time that the merchandise is located in the zone but cannot be abandoned once granted. Merchandise in zone restricted status may not be removed to Customs territory for domestic consumption except where the FTZ Board determines the return to be in the public interest.

Merchandise may be considered exported, for Customs or other purposes (i.e., for drawback purposes or to close out a TIB), upon its admission to a zone in zone restricted status. Nontax paid alcoholic beverages and tobacco products can be admitted to a zone only in ZR status. Merchandise entered into a bonded warehouse for storage and transferred to a zone (other than temporarily for manipulation and returned to Customs territory as provided for in § 146.33) will have ZR status when admitted into the zone. Merchandise that has been placed in a bonded warehouse for a purpose other than entry for warehouse (such as general order or under seizure) may be admitted to a zone in any eligible status.

Zone Schedule – The most current version of this document prepared by the Grantee and submitted to the Board, setting forth the internal rules and regulations of the Zone, and the applicable fee schedules within the Zone, including all Attachments and Appendices.

Zone Site – the physical location of a zone or Subzone.

Zone Status – The legal status of merchandise, which has been admitted to a Foreign-Trade Zone, thereby becoming subject to the provisions of the FTZ Act. Four types of zone status are established under the FTZ Act, which determines how the merchandise will be handled in the zone and treated upon its transfer to the Customs territory. (Privileged Foreign, Nonprivileged Foreign, Domestic and Zone Restricted Status Merchandise.)

Zone Year – The Zone Year for FTZ Board Annual Report purposes is January 1 through December 31.