

## **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](mailto:ftz@trade.gov).

# Foreign-Trade Zone # 223 Memphis, Tennessee

Zone Schedule

**Effective January 1, 2014**

Memphis International Trade Development Corporation  
Grantee, FTZ 223  
P.O. Box 613307  
Dallas, TX 75261-3307

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# **FOREIGN TRADE ZONE NO.223**

## **OVERVIEW**

Pursuant to a Grant issued by the Foreign Trade Zones Board, United States Department of Commerce, Washington, D.C. on Nov. 1, 1990 under Provisions of Public Law, Foreign Trade Zone No. 223 has issued the following publication on Rules, Regulations and Schedule.

## **GRANTEE**

Memphis International Trade Development Corporation, a not-for-profit corporation, is the Grantee of Foreign Trade Zone 223. The Zone is located at the Memphis Port of Entry. The Grantee's mailing address is P.O. Box 613307, Dallas, TX 75261.

Foreign Trade Zone 223 is a multi-site Zone with locations in Dallas, Fort Worth and the broader metropolitan area. The Zone is operated in conjunction with private landowners on a public utility basis.

## **ACCESSIBILITY**

Foreign Trade Zone No. 223 has adequate electric power, water, waste disposal and communications at its sites. Warehouse facilities are available to the public for lease and to store, manipulate, manufacture and conduct office operations.

**GENERAL REGULATIONS--** Foreign Trade Zone No. 223 is regulated by the Foreign Trade Zones Board, Washington, D.C. under Code of Federal Regulations, Chapter IV, Part 400. The Zone operates under the rules of the Board's Traditional Site Framework.

**UNITED STATES CUSTOMS REGULATIONS --** Foreign Trade Zone No. 223 is subject to special Customs regulations as defined in U.S. Code of Federal Regulations, Chapter I, U.S. Customs, Part 146- Foreign Trade Zones.

## **FTZ 223 GRANTEE POLICIES**

### **Applications**

A detailed description of FTZ application requirements are outlined by the U.S. Foreign Trade Zones Board. The Grantee cannot guarantee that the FTZ Board will approve the project.

### **Removing FTZ Status**

The Grantee reserves the right to remove FTZ status from approved sites under the following conditions:

1. There is a default in the agreement between the User and Grantee or between the Property Owner and Grantee
2. Property is used for residential purposes, retail sales or any other use or development that is inappropriate for FTZ status.
3. Failure to pay charges or fees associated with FTZ status.

### **User Agreement**

All Users will be required to sign a User-Grantee Agreement before the site can be activated with Customs. This agreement establishes the responsibilities of the Grantee and User.

### **Liability**

FTZ site Owner and/or User agrees to protect, indemnify and hold harmless the Grantee and Zone 223, its officials, employees, and agents from and against any liability, obligation, damage, penalty, claim, cost, charge or expense, including attorneys' fees and costs, whether insured or not, arising out of or incident to its site.

### **Zone Operated as a Public Utility**

All rates and charges for all services or privileges within the Zone shall be fair and reasonable, and the Grantee and Operators shall afford to all who may apply for the use of the Zone and its facilities and appurtenances uniform treatment under like conditions.

### **Annual Reports**

The FTZ User or its operator must submit to the Grantee of Zone 223 no later than the time specified in the Operator's Agreement of each year an annual report for the calendar year ending December 31st containing data required by the FTZ Board and Customs.

### **Foreign-Trade Zone Privileges**

The Grantee makes no representations or warranties as to the particular privileges and benefits which may accrue to FTZ site User or Owner from foreign-trade zone site operations as those privileges and benefits may vary as a result of changes in federal law, determinations of the Board and Customs, and operational decisions of the FTZ User. The Grantee shall in no way be liable for any costs or losses sustained by FTZ User or Landowner as a result of FTZ status.

## **FTZ 223: GENERAL RULES AND REGULATIONS**

**ZONE REGULATIONS** -- The following rules governing procedures within Foreign Trade Zone No. 223 are issued in conformity with and supplementary to the Foreign Trade Zones Board's regulations and such of the United States Laws and regulations relating to the Port of Entry as are applicable to foreign trade zone operations.

**GENERAL REGULATIONS**-- All persons and merchandise of every description entering or leaving Zone No. 223 for any purpose whatsoever shall be bound by the lawful regulations issued thereunder.

**GOVERNMENT AGENCIES** -- All lawful regulations regarding government agencies in or about ports of entry must be complied with insofar as they are not in conflict with Public Law 397 of the 73rd Congress and the Regulations issued thereunder.

**PUBLIC INTEREST, HEALTH AND SAFETY**-- No operation or process of treatment will be permitted in the Zone that, in the judgment of the Grantee, is detrimental to the public interest, health and safety.

**CONFIDENTIAL RELATIONSHIP**-- The Grantee will take precaution to avoid the divulging of confidential information regarding merchandise and services thereon performed in the Zone. Any Zone employee violating this confidential will be suitably disciplined or discharged.

**ADMITTANCE OF PERSONS** -- Persons desiring admittance to the Zone shall make application to a representative of the Grantee or Zone operator. The pass issued must be worn or shown upon request. Upon leaving the Zone any temporary pass must be surrendered and any permanent pass must be shown to the representative of the operator. All persons having business in the Zone will enter and leave at the prescribed entrance. All persons except User's employees will sign the visitors register.

**CHARGES BY GOVERNMENT AGENCIES** -- Charges made by any government agencies are not included in this tariff and should be arranged by the user or his agent with the government bureau concerned.

**INSPECTION** -- The Grantee may inspect the assigned area, sub-zone, or annex at any and all reasonable times to ascertain whether or not the covenants or conditions related to its proper use are being observed.

**INSURANCE** - Insurance is carried by the Zone User on its' own property only and which includes insurance on the contents stored therein.

The Zone User is obligated to put nothing within the Zone which will cause the cancellation or forfeiture of the insurance or affect the premium rate thereof on the building or buildings of which the leased premises forms apart. Insurance on commodities of other property stored on the leased premises, if desired, must be carried by and at the expense of the Use or owner of the commodities or other properties.

**PUBLIC LIABILITY INSURANCE** - The Zone User shall at its own cost and expense, at all times, carry the standard form of public liability and property damage insurance, with responsible companies, for personal injury and for property damages and for the protection against injuries, costs, persons or property by reason of the use or misuse of the premises and shall, prior to activation, deliver to the Grantee, certificates of insurance issued by insurance companies evidencing coverage and evidencing that insurance is cancelable only after thirty (30) days written notice to the Grantee. The risk may be covered by responsible insurance companies subject to approval by the Grantee, kept in force by the Zone User covering risks.

**INSURANCE ON MERCHANDISE IN THE ZONE** - Merchandise stored, manipulated or transferred within the Zone is not insured by the Grantee and the Zone Schedule rates do not include insurance on merchandise

### **SPECIAL RULES PERTAINING TO MERCHANDISE**

**ZONE ACCOMMODATION** - Before merchandise may be entered in to the Zone, applications on Customs Form 214 must be completed by Zone User or his agent, filed with the authorized Customs personnel. The application shall describe the merchandise fully, in terms of the Tariff Schedules of the United States Annotated, and be accompanied by all supporting documents as required by Customs Form 214.

**PERMISSION TO MANIPULATE** - Before merchandise may be manipulated within the Zone, application on Customs Form 216 must be presented to the Director of Customs. On approval by the Director, the contemplated manipulation will then be permitted.

**TENDER FOR ACCEPTANCE** - All merchandise for Zone acceptance shall be delivered at designated points. Merchandise must be marked and packed and accompanied or preceded by the necessary documents for preserving the identity of such merchandise.

**HAZARDOUS COMMODITIES** - The Zone will not be required to accept for storage any commodity that will affect the rate of insurance on other merchandise in storage.

When reference is made hereto, by any rate item, the product will not be stored except in locations or areas that are not restricted in the acceptance of any commodity for storage under the insurance rate established on contents stored therein.

**MARKING** - All merchandise handled in the Zone, before entry to Customs territory, must be truly marked in accordance with Customs regulations as to the country of origin and in the Zone for any purpose that carries any false or misleading label or mark. When repacked or labeled in the Zone, the goods should, when possible, be marked to indicate the fact.

**TRUCKING AND LIGHTERAGE** - Transfer of foreign merchandise between Customs territory and the Zone must be made by Customs bonded trucks or other carriers and subject to Customs regulations. Likewise, transfers of foreign non-privileged merchandise to or through Customs territory must be made by Customs bonded trucks or other carriers and subject to Customs regulations.

**CUSTOMS INSPECTION OF MERCHANDISE WHILE IN ZONE** - The consignee or Zone user, or his agent, shall at all times be immediately available to make the merchandise subject to inspection required by the United States Customs Service and shall have the sole responsibility of opening crates and packages, handling the merchandise and securing the crates and packages following the inspection. In the event that the consignee or his agent is not immediately available for the inspections, then Zone personnel shall be authorized to open such packages for the Customs Service and shall not be liable for any loss or damage for any reason whatsoever to the goods.

**NON-LIABILITY** - The Grantee, its agents, employees, representatives and/or those acting within the authority delegated by the Grantee will not be liable and cannot assume any responsibility for any loss or damage to freight, cargo or merchandise or other property upon the owned/leased premises, or for any loss or damage arising from acts of commission or omission of co-tenants, or of the occupants, or users of adjacent or contiguous compartments or of other portions in or about the Zone, not for the breakdown of power services, loss or damage occasioned by plumbing, electrical fire nor for any loss or damage from any cause whatsoever.

**INVENTORY CONTROL SYSTEM**- Each Zone and Subzone User/Operator shall have an inventory control system and a procedures manual that explains the flow of merchandise in and out of the Zone and the applicability of the respective customs forms and documentation as described in their FTZ Procedures Manual on file with the Port Director of US Customs and Border Protection. The Grantee reserves the right to examine pertinent sections of the procedures manual and evaluate the performance of the inventory control system.



## **RULES AND REGULATIONS – SUBZONES AND ANNEXES**

The Grantee, User/Operator, and all persons and entities doing business within a sub-zone established by the grantee must comply with provisions of the Foreign Trade Zone Act, as amended; with the lawful and effective Rules, Regulations and Procedures of the Foreign Trade Zones Board; with such of the laws and the lawful regulations of the United States, the states, or the subdivision and agencies thereof as may be applicable to operators, occupants, their employees and invitees, and users of sub-zones: and with such of the provisions of this Schedule and subsequent issues and modifications thereof as may be applicable to the operations conducted in the sub-zone.

When applicant desires to have a sub-zone located within grantee's jurisdiction the applicant must request in writing its desire for sub-zone status. The Grantee will provide cooperation with all State or local industrial development agencies, public or private, to assist applicants to the fullest extent possible in securing a suitable location.

All persons and entities who request the Grantee to apply for authority to establish a sub-zone must first enter into an agreement with the Grantee governing proposed sub-zone operations. This agreement will contain provisions including, but not limited to, those relating to costs incident to the preparation of the application, and any subsequent amendment or modification thereof; costs incident to public hearings and legal proceedings, charges for proving required Customs services; and charges for Grantee's special services not provided in this Schedule. Applicants for the establishment of a sub-zone will bear application costs and charges of preparing and filing of application by Grantee whether or not the application is favorably acted upon by the Foreign Trade Zones Board. Any User of a primary zone annex must have a signed agreement with the Grantee.

## **FTZ 223: OPERATION OF THE ZONE**

**OPERATIONS, FORMS AND PROCEDURES - GENERAL** -- The merchandise and operations permitted in a Zone, the disposition of merchandise in a Zone, the Zone status of the merchandise and special provision applicable to each status, the subsequent export-importation of merchandise removed from a Zone and other operations and recorded by the operator with the applicable Customs forms.

**MERCHANDISE PERMITTED IN A ZONE**-- Foreign and domestic merchandise of every description, except as is specifically prohibited by law, may, without being subject to the Customs law of the United States, except as otherwise provided in the Act and the regulations made thereunder, be brought into a Zone.

- a) Merchandise which is specifically and absolutely prohibited by law shall not be admitted into a Zone. Any merchandise so prohibited by law which is found within a Zone shall be disposed of in the manner provided for in laws and regulations applicable to such merchandise. A distinction is made between (1) merchandise which is specifically and absolutely prohibited by law on the grounds of policy and morals such as immoral or subversive literature obscene articles or lottery matter, and (2) merchandise which is subject to conditional prohibition only, for example, articles which are subject to permits or licenses for the protection of economics of national security or which may be reconditioned to bring them into compliance with the laws administered by various Federal Agencies.

The Director of Customs is required to exclude the first class of articles and may not permit them to be transferred to a Zone if they are aware of their prohibited status, except that the Director may permit the temporary deposit of any such merchandise in the Zone pending final determination of its status. The transfer of articles of the second class to a Zone is subject to any requirements of the Federal Agency concerned. There is no prohibition against placing over-quota merchandise in a Zone pending its right to transfer to Customs territory pursuant to the applicable quota provisions.

- b) The application of the admission of merchandise into the Zone shall be approved or disapproved by the Port Director as the representative of the Board, where the merchandise is not excluded by any other Federal agency having jurisdiction over the merchandise.

**DISPOSITION OF MERCHANDISE IN A ZONE** - In general, merchandise lawfully brought into a Zone may, in accordance with these and other regulations made under the provisions of the Act, be exported, destroyed, or sent into Customs territory of the United States therefrom, in the original package or otherwise; but when foreign merchandise, and domestic merchandise whose identity has been lost, is so sent from a Zone into Customs territory of the United States it shall be subject to the laws and regulations of the United States affecting imported merchandise.

**MANIPULATION, MANUFACTURE, EXHIBITION OF MERCHANDISE** - In general, merchandise lawfully brought into a Zone may, in accordance with these and other regulations made under the provisions of the Act, be stored, sold, exhibited, broken up, repacked, assembled, distributed, sorted, graded, cleaned, mixed with foreign and domestic merchandise, or otherwise manipulated, or be manufactured except as otherwise provided by the Act.

(a) Permission for any manipulation or exhibition in a Zone shall be obtained from the Director of Customs, as the representative of the Board, subject to such application and procedure prescribed by the Secretary of the Treasury for the protection of the revenue.

(b) In the event of the denial of any application by the Director of Customs for any reason, the applicant, the grantee, or the Operator of the Zone may appeal the adverse ruling to the Board. If any revenue protection considerations are involved in such an application, the Board shall be guided by the determinations of the Secretary of the Treasury with respect to them.

**STATUS OF MERCHANDISE IN A ZONE** -- For the purposes of the Act and the regulations of this Section,

(a) all merchandise within a Zone, except merchandise in transit through a Zone as provided in sections 146.14 and 146.13 of Customs regulations, and except merchandise temporarily transferred to a Zone for manipulation as provided in paragraph (b) of this Section, shall be given a Zone Status as--

- (1) privileged foreign merchandise,
- (2) privileged domestic merchandise,
- (3) non-privileged foreign merchandise,
- (4) non-privileged domestic merchandise

in accordance with Subpart C of Customs regulations.

(b) Imported merchandise which has been entered and which remained in continuous Customs custody may be temporarily transferred to a Zone for manipulation under Customs supervision pursuant to Section 562, Tariff Act of 1930, as amended, and for return to Customs territory. Any such merchandise shall not be considered within the purview of the Foreign Trade Zone Act, but shall be treated in all respects as though remaining in Customs territory. Therefore no Customs form or procedure shall be considered applicable, but the merchandise shall remain subject in the Zone to such requirements as are necessary for the enforcement of Section 562 and other pertinent Customs laws.

**SUBSEQUENT IMPORTATION OF ZONE MERCHANDISE** – Articles produced or manufactured in a Zone and exported therefrom shall, on subsequent importation into the Customs territory of the United States, be subject to the import laws applicable to like articles manufactured in a foreign country, except that articles produced or manufactured in a Zone exclusively with the use of domestic merchandise, the identity of which has been maintained in accordance with the Second Proviso of Section 3 of the Act, as amended, may on such importation, be entered as American goods returned.

**EXCLUSION FROM ZONE OF GOODS OR PROCESS OF TREATMENT**-- When it shall be reported on the Board that any goods or process of treatment is detrimental to the public interest, health, or safety, the Board shall cause such investigation to be made as it may deem necessary. The Board may order the exclusion from the Zone of any goods or process of treatment than in its judgment is detrimental to the public interest, health, or safety.

**RETAIL TRADE WITHIN ZONE** -- No retail trade shall be conducted within a zone except under permits issued by the grantee and approved by the Board. Such permittees shall sell no goods except such domestic or duty-paid or duty-free goods as are brought into the Zone from Customs territory. Permits which are sent to the Board for approval shall be accompanied by a sworn statement, subscribed to by the applicant before a duly authorized officer to administer oaths setting forth in detail the nature of the retail trade to be conducted and containing an agreement that such applicant will sell no goods except of the kinds specifically authorized by the Act, which are brought into the zone from Customs territory. No goods shall be offered for sale or sold in a Zone which are not of the same kind and political jurisdiction in which the Zone is located. If the permittee violates any provision of the regulations in this Section, his permit shall be revoked by the grantee, who shall immediately report such action to the Board.

**RESIDENCE WITHIN ZONE**-- No person shall be allowed to reside within a Zone except Federal, State, or municipal officers or agents whose resident presence is deemed necessary by the Board.

**HOURS OF BUSINESS AND SERVICE** --Hours of business and service, for customs purposes, shall be the same as those prescribed in Customs regulations. Regular or normal business hours shall be between the hours of 8:00 and 5:00 PM, Monday through Friday.

The Zone may be opened at other times, on an irregular or regular basis, upon application and with approval of the Operator and Customs officials.

**EMPLOYEES AND PERSONS ENTERING AND LEAVING ZONE** -- Employees and other persons entering or leaving the Zone shall pass through the designated entrances to the Zone. Employees and other persons shall be subject to such examination upon entering and leaving a Zone as the Director may deem necessary for the protection of the revenue.

**ALL PERSONS ENTERING ZONE BOUND BY REGULATIONS** -- All persons entering the Zone for any reason whatsoever shall be bound by the regulations promulgated by the Board, Customs and by the Grantee of the Zone.

**IDENTIFICATION OF VISITORS AND NON-EMPLOYEE PERSONNEL WITHIN THE ZONE**  
All persons having business within the Zone, but not possessing appropriate Zone-issued badges, passes or other approval to enter the Zone, shall apply for the appropriate approval and entry identification at the Zone Grantee Office. All visitors and authorized personnel except Grantee's personnel will sign a visitors register when entering and leaving the storage area of the Zone. The visitors register will be maintained in the operator's files.

## **FTZ 223: SCHEDULE OF RATES, FEES & CHARGES**

**INTRODUCTION**—Foreign Trade Zone 223 publishes a Grantee Fee Schedule that includes all rates, fees and charges assessed to Zone Users, Operators and Applicants. These fees are established by the Grantee and may be amended by the Grantee Board from time to time.

**APPLICATION FEES**—Such fees cover the costs for review and filing applications to the Foreign Trade Zones Board. The fees do not include the costs of preparation of the application and supporting documentation.

**ACTIVATION FEES**—Such fees cover the costs associated with preparation and processing of the Zone Operations Agreement with the User/Operator, providing the Grantee Concurrence Letter to Customs, and any necessary Grantee support required in processing the FTZ Activation Application with US Customs and Border Protection

**ANNUAL FEES**-- Annual Fees cover the Grantee costs for oversight of the Zone project and submission of the Annual Report to the Board. Fees are payable upon Customs Activation approval and annually thereafter on the Activation anniversary date

## **Appendix A**

# **FTZ 223 GRANTEE FEE SCHEDULE**

# **FTZ 223 GRANTEE FEE SCHEDULE**

(EFFECTIVE JANUARY 1, 2014)

## **Application Fees (Foreign Trade Zones Board)**

The Application Fees cover the Grantee's expenses for review and filing the applications with the Foreign Trade Zones Board. The fees do not include the costs of preparation of the application and supporting documentation

Subzone	\$ 3500
New General Purpose Site	\$ 2500
Site Expansion	\$ 2000
Minor Boundary Modification	\$ 500
Production (Manufacturing) Authorization	\$ 2500

## **Activation Fees (US Customs & Border Protection)**

The Activation Fee covers Grantee's expenses for preparation and processing of the Zone Operations Agreement, providing the Grantee Concurrence Letter to Customs, and any necessary Grantee support required in the Customs Activation process.

General Purpose Site	\$ 2000
Subzone (per Site)	\$ 3000

## **Annual Fees**

The Annual Fee will cover Grantee expenses for oversight of the Zone project and submission of the Annual Report to the Board. Fees are payable upon Customs Activation approval and annually thereafter on the Activation anniversary date

General Purpose Zone Operator	\$ 2500
Sub Zone Operator (per site)	\$ 2500



## **Appendix B**

# **DEFINITIONS**

1. **ACT**  
The Foreign-Trade Zones Act of June 18, 1934 (48 Stat. 998-1003; 19 U.S.C. 81a-81u), as amended by Public Law 566, 81st Congress, approved June 17, 1950, and as It may subsequently be amended.
2. **BOARD**  
The Foreign-Trade Zones Board created by the ACT to carry out provisions thereof. The Board shall consist of the Secretary of Commerce, who shall be the chairman and executive officer and the Secretary of the Treasury.
3. **BULK**  
The term used in describing fungibles, which can be poured, scooped, or shoveled, and which generally cannot be counted or identified piece by piece.
4. **CONTROL NUMBER**  
The number used on all Zone entry and exit forms to identify all merchandise and commodities. The Control Number shall in all cases, be the same as the Schedule number for that same merchandise described in the Harmonized Schedule Schedules of the United States.
5. **CUSTOMS TERRITORY**  
The territory of the United States in which the general Schedule law of the United States applies but which is not included in any foreign trade zone.
6. **DOMESTIC ORIGIN/DUTY PAID**  
Merchandise that is mainly of domestic origin but also includes foreign-origin merchandise on which customs entry and duty payments have been made prior to admission to the zone site.
7. **DOMESTIC STATUS**  
Used synonymously with Domestic Origin/Duty Paid (see above). Domestic status is the customs status (19 C.F.R. 146.43) for domestic origin and duty paid foreign origin zone merchandise.
8. **FOREIGN MERCHANDISE**  
Imported merchandise of every description (except articles specifically and absolutely prohibited by statute) which has not been properly released from Customs custody into Customs territory.

9. **FOREIGN-TRADE ZONE FORMS**  
Forms used in the transaction of Foreign-Trade Zone business are designated by the U. S. Customs Service. As such, these forms shall be completed by either the Zone User (person of record) or his duly assigned zone operator.
10. **GRANTEE**  
Memphis International Trade Development Corporation, to which the privileges of establishing, operating and maintaining Foreign-Trade Zone No. 223 have been granted.
11. **HOLIDAYS**  
Those legal holidays during which the Zone is closed for regular business
12. **IMPORTS**  
Foreign merchandise of every description (except articles specifically and absolutely prohibited by statute) entered into 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 Customs territory through the Zone 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.
13. **IN-TRANSIT MERCHANDISE**  
The term "in-transit merchandise" includes all foreign merchandise transported into and out of the United States, whether in and out of the same port or across the country to another port, with or without transshipment, warehousing, breaking bulk, or change in mode of transportation, which originated in one foreign country and is destined at the time of the original shipment to another foreign country. Its distinctive feature is that it is being transported, from one foreign country through the United States to another foreign country, under a through bill of lading or other documentation for a completed journey. The term is particularly applied to foreign merchandise shipped in-transit through a foreign-trade zone.
14. **MANIPULATION**  
Means breaking up, repacking, assembling, distributing, sorting, grading, cleaning, mixing with foreign or domestic merchandise, or other processing which does not constitute a manufacture.

16. METRIC TON  
Weight ton of 1,000 kilograms, unless otherwise indicated.
17. NON-PRIVILEGED FOREIGN MERCHANDISE
- a) Foreign merchandise properly in the Zone which
    - i. does not have the status of privileged foreign merchandise, or
    - ii. zone-restricted merchandise or
  - b) waste recovered from any manipulation or manufacture of privileged foreign merchandise; or
  - c) domestic merchandise taken into a Zone whose identity has been lost.
18. OPEN OR YARD STORAGE  
The keeping of merchandise on open space within the fenced-in area of the Foreign Trade Zone where merchandise not requiring weather protection may be stored.
19. PERSON OF RECORD  
The person, firm, or corporation in whose name the application to admit merchandise into the Zone (CF 214) is made, recognized by the Zone Grantee as having the legal right to make the application. Evidence of this right of the applicant is the same as would be required to establish the right to apply for release of the merchandise from Customs custody at the end of its transit through Customs territory, and usually consists of an original bill of lading in the name of the applicant, an original bill of lading endorsed to him or a carrier's certificate.
20. PORT DIRECTOR OF CUSTOMS  
The Director of the Port of Memphis , U. S. Customs and Border Protection.
22. PRIVILEGED FOREIGN MERCHANDISE  
Foreign merchandise for which an application (CF 214) has been made for determination of taxes and liquidation of duties, and which has been taken under supervision by the Port Director of Customs.
23. QUANTITY  
The numerical count of the units composing a shipment of a commodity except bulk commodities which must be measured by weight, size, or volume.

24. RE-EXPORTS OR RESHIPMENTS

Merchandise from one foreign country initially destined to the United States which, after being unladed, 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 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 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 Customs territory.

25. SECRETARY

The term "Secretary" means the Secretary of Commerce.

26. STORAGE

The keeping of merchandise in or upon the premises within the Foreign-Trade Zone. Covered storage means keeping within a covered and enclosed structure affording weather protection. The term "storage", without other designation, ordinarily implies covered storage.

27. SUBZONE

A site (or group of sites) established for a limited purpose directly involved in a manufacturing activity as defined in the Customs regulations or an activity related to the petroleum industry.

28. SUBZONE OPERATOR

An individual, company or corporation engaged in a manufacturing activity or an activity related to the petroleum industry and managing the operation of the subzone through its Foreign-Trade Zone Subzone Operator Agreement with the grantee.

29. **TRANSSHIPMENT MERCHANDISE,**  
Foreign merchandise which enters and leaves the United States through the same port, being transferred from one vessel to another directly or by way of a foreign- trade zone or Customs bonded warehouse. The term is particularly applied to such merchandise transferred through a foreign-trade zone.
30. **UNIQUE IDENTIFIER NUMBER**  
The numbers, letters, or combination of numbers and letters that Identify merchandise admitted to a Zone with zone status.
31. **UNIT OF QUANTITY**  
The customary groupings of a commodity as a unit to Indicate the medium or method of measure.
32. **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, and the Island of Guam.
33. **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.
34. **WEIGHT**  
The gross weight of the merchandise including container, except as noted to the contrary.
35. **ZONE**  
The term "Zone" means a "foreign-trade zone" and/or Foreign-Trade Zone No. 223.
36. **ZONE ADMISSION NUMBER**  
The number assigned to each zone admission document/transaction by Customs.
37. **ZONE LOT**  
The unit or units of goods for which a separate record and account Is to be kept by the Zone Operator.

38. ZONE OFFICE  
The FTZ 223 administrative office of the Grantee/General-Purpose Zone Operator.
39. ZONE OPERATOR  
A corporation, partnership, or person that operates a zone or subzone under the terms of an agreement with the zone grantee (or third party on behalf of the grantee) with the concurrence of the Port Director of CBP
40. ZONE STATUS  
The status of merchandise admitted to a Zone, i.e., non-privileged foreign, privileged foreign, zone restricted, or domestic.
41. ZONE USER  
Individual, company or corporation utilizing the services and facilities of Foreign-Trade Zone No. 223 through its non-assignable Foreign-Trade Zone User Agreement with the Grantee.
42. ZONE-RESTRICTED MERCHANDISE  
Foreign or domestic merchandise taken into the Zone, under the rules and regulations of the controlling Federal agency, for the sole purpose of exportation, destruction (except destruction of distilled spirits, wines, and fermented malt liquors), or storage pending exportation or destruction.