

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.

**Brownsville Navigation District
Foreign Trade Zone No. 62
Zone Schedule**

ADMINISTRATION PAGE

**Foreign Trade Zone No. 62
ZONE SCHEDULE
Brownsville Navigation District
(Grantee)**

Board of Commissioners

SERGIO TITO LOPEZ, Chairman of the Board

CARLOS MASSO, Vice Chairman

MARTIN C. ARAMBULA, Secretary

JOHN REED, Port Commissioner

RALPH COWEN, Port Commissioner

General Office

1000 Foust Road
Brownsville, TX 78521

Telephone (956) 831-4592

FAX (956) 831-5353

1-800-378-5395

www.portofbrownsville.com

Foreign Trade Zone No. 62 Administration

Eduardo A. Campirano

Port Director and CEO

Antonio "Tony" Rodríguez

Director of Cargo Services and Overweight
Permit-FTZ Administrator

**ZONE SCHEDULE
FOR
FOREIGN-TRADE ZONE NO. 62
BROWNSVILLE, TEXAS**

This Zone Schedule has been prepared by the Brownsville Navigation District, Grantee for FTZ No. 62. Any questions concerning the contents of this Zone Schedule should be addressed to:

Antonio "Tony" Rodriguez
Director of Cargo Services-Overweight
Permit and FTZ No. 62 Administrator
Port of Brownsville
Tel: (956) 831-4592 DID: (956) 838-7033
Cell: (956) 592-3961
Email: trodriguez@portofbrownsville.com

This Zone Schedule has been prepared in accordance with 15 C.F.R. 400.44 and is on file with the Foreign-Trade Zones Board and United States Customs & Border Protection at the Port of Brownsville, Texas

TABLE OF CONTENTS

	<u>Page</u>
I. History and Composition of FTZ No. 62	1
History of the Brownsville Foreign-Trade Zone, FTZ No. 62	1
List of FTZ No. 62 General Purpose Sites	1
Statutory and Regulatory Authority	1
II. Definitions	2
1. Foreign-Trade Zones Board (FTZB)	2
2. FTZB staff	2
3. Port Director of Customs	2
4. Grantee	2
5. Operator	2
6. User	2
7. FTZ Eligibility	2
8. Activation	2
9. Subzone	2
10. Alternative Site Framework (ASF)	2
11. Service Area	3
12. Magnet Site	3
13. Usage Driven Site	3
14. Zone Project	3
15. Production	3
16. Domestic Status Merchandise	3
17. Privileged Foreign Status Merchandise	3
18. Non-Privileged Foreign Status Merchandise	3
19. Zone Restricted Merchandise	3
20. CBP Form 214	3
21. CBP Form 216	3
22. CBP Form 3461	3
23. CBP Form 7512	3
III. Roles of Parties	5
Role of Foreign-Trade Zones Board	5
Role of U.S. Customs and Border Protection	5
Role of Zone Grantee	6
Role of Zone Operator	6
Role of Zone User	7

**BROWNSVILLE FOREIGN-TRADE ZONE, FTZ NO. 62 ZONE SCHEDULE
EFFECTIVE MARCH 1, 2014**

IV.	Zone Policies	8
V.	Internal Rules	10
	Qualifications	10
	Right of Entry	10
	Retail trade within FTZ 62	10
	Zone-restricted merchandise	10
	Exclusion from FTZ of goods or process	10
	Foreign-Trade Zones Board Annual Report	11
	Procedures Manual	11
	Inventory Control and Recordkeeping System	11
	Admission of Merchandise	12
	Accountability for merchandise	12
	Physical inventories	12
	Annual Reconciliation	12
	Annual system review	13
	Shortages and overages	13
	Receipt of merchandise	13
	Manipulation of merchandise	13
	Transfer of merchandise to another FTZ Project	14
	Removal of merchandise from FTZ No. 62	14
VI.	Fee Schedules	15
	Grantee Fee Schedule	15
	Operator Fee Schedules	15
	EXHIBIT A Grantee Fee Schedule	
	EXHIBIT B Operators Fee Schedules	

HISTORY AND COMPOSITION OF FTZ NO. 62

History of the Brownsville Foreign-Trade Zone, FTZ No. 62:

The Grant of Authority establishing the Brownsville Foreign-Trade Zone, (FTZ No. 62) was issued by the Foreign-Trade Zones Board (FTZB) to the Brownsville Navigation District on October 20, 1980 (Board Order No. 166). There have been three Board Orders that have altered the boundaries of the General Purpose Zone Project (Board Order 226 (September 30, 1983), Board Order 444 (October 24, 1989) and Board Order 1288 (August 21, 2003). The Grantee filed an application to reorganize FTZ No. 62 under the Alternative Zone Framework which was docketed by the FTZB on December 4, 2013 (Docket No. B-103-2013). The Service Area for FTZ No. 62 will include all of Cameron County. The 5 General Purpose Sites listed below will become the Magnet Sites.

List of FTZ No. 62 General Purpose Sites:

The boundaries of the Zone Project and a description of the Sites, including subzone Sites are as follows:

- Site 1: The Brownsville Navigation Port Complex in Brownsville – 18,627 acres
- Site 2: The Valley International Airport in Harlingen – 3 parcels totaling 203 acres
- Site 3: The Harlingen Industrial Park in Harlingen – 3 parcels totaling 116 acres
- Site 4: The FINSA Industrial Park in Los Indios – 4 parcels totaling 758 acres
- Site 5: The NAFTA Industrial Park in Brownsville – 71 acres

Statutory and Regulatory Authority:

Foreign-Trade Zone Act – 19 U.S.C. 81

Foreign-Trade Zones Board Regulations – 15 C.F.R. 400

Customs & Border Protection Regulations – 19 C.F.R. 146

DEFINITIONS

1. **Foreign-Trade Zones Board (FTZB)** -- comprised of the Secretary of Commerce and the Secretary of Treasury. These officials or their designee are empowered to issue to appropriate applicants the grant of authority to establish, maintain and operate a Foreign Trade Zone project 19 U.S.C. 81a(b); 15 C.F.R. 400.2(d).
2. **Foreign-Trade Zones Board (FTZB) staff** -- Officials in the Department of Commerce, International Trade Administration responsible for overseeing the administration of Foreign Trade Zones. The Executive Secretary heads up this office 15 C.F.R. 400.2(g).
3. **Port Director of Customs and Border Protection (CBP)** -- CBP official with responsibility for overseeing the activation and operations of zone projects within his customs port of entry.
4. **Grantee** -- Entity to which the privilege of establishing, operating, and maintaining a foreign-trade zone has been granted. 19 U.S.C. 81a(h); 15 C.F.R. 400.2(v). The Brownsville Navigation District is the Grantee of FTZ No. 62.
5. **Operator** -- Corporation, partnership, or person that operates a zone or subzone under the terms of an Agreement with the Grantee. 15 C.F.R. 400.2(w).
6. **User** -- A person or firm using a zone or subzone for storage, handling, or processing of merchandise. 15 C.F.R. 400.2(aa).
7. **FTZ Eligibility** -- A site becomes eligible to be used as an FTZ upon receipt of designation from the FTZB in response to a request from the Grantee.
8. **Activation** -- Filing of an application with CBP by the Operator, with Grantee's concurrence, results in the actual utilization of an FTZ eligible site as an FTZ. 19 C.F.R. 146.1.
9. **Subzone** -- A site (or group of sites) established for a specific use. 15 C.F.R. 400.2(s).
10. **Alternative Site Framework (ASF)** -- An optional approach to FTZ designation and management that provides Grantees with greater flexibility and responsiveness in serving FTZ Users. 15 C.F.R. 400.2(c). FTZ No. 62 was reorganized under ASF through Board Order No. 1765 on May 20, 2011.
11. **Service Area** -- Jurisdiction within which a Grantee proposes to be able

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 3 OF 15

to designate sites via minor boundary modifications under the ASF. 15 C.F.R. 400.2(q). The Service Area for FTZ No. 62 encompasses all of Cameron County.

12. **Magnet Site** -- A site intended to serve or attract multiple operators or users under the ASF. 15 C.F.R. 400.2(j).

13. **Usage Driven Site** -- A site tied to a single Operator or User under the ASF. 15 C.F.R. 400.2(t).

14. **Zone Project** -- All of the Zone sites (General Purpose, Magnet, Usage Driven and subzone) established by the Board under a single Grantee.

15. **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 customs classification of the article or its eligibility for entry for consumption. 15 C.F.R. 400.2(o)

16. **Domestic Status Merchandise** -- Merchandise produced in the United States or imported merchandise for which customs duties have already been paid. 19 C.F.R. 146.43.

17. **Privileged Foreign Status Merchandise** -- Imported merchandise that has not cleared Customs and for which the User wishes said merchandise to retain its identity, from a customs classification standpoint, regardless of its condition when it ultimately enters the customs territory of the United States. 19 C.F.R. 146.41.

18. **Non-Privileged Foreign Status Merchandise** -- Imported merchandise that has not cleared Customs and for which the User does not wish said merchandise to retain its identity, from a customs classification standpoint, so that if altered, it will become classifiable in its condition when it enters the customs territory of the United States. 19 C.F.R. 146.42.

19. **Zone Restricted Merchandise** -- Merchandise which cannot re-enter the U.S. customs territory. 19 C.F.R. 146.44

20. **CBPF 214** -- Document prepared on behalf of the User, signed by the Operator and approved by CBP, which authorizes the admission of merchandise into a FTZ and designates the status of the merchandise.

21. **CBPF 216** -- Document prepared by the Operator and approved by CBP, which authorizes the User to engage in certain activities within the FTZ such as manipulation, repair, destruction and manufacture.

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 4 OF 15

22. **CBPF 3461** -- Document prepared on behalf of the User, which must be approved by CBP and furnished to the Operator prior to the physical removal of any merchandise from the FTZ into the customs territory of the United States.

23. **CBPF 7512** -- Document prepared on behalf of the User, which must be approved by CBP and furnished to the Operator prior to the physical removal of any merchandise from the FTZ for exportation of merchandise from the United States.

ROLES OF PARTIES

Role of Foreign-Trade Zones Board:

1. Prescribe rules and regulations concerning foreign-trade zones and issue Board Orders (Grants of Authority). 15 C.F.R. 400.3.
2. FTZ applications, expansion applications, subzone applications, production requests and boundary modification requests are reviewed by FTZB staff. 15 C.F.R. 400.4.
3. All ongoing activities are subject to review 15 C.F.R.400.49.
4. The FTZB may revoke a grant in whole or in part for repeated and willful violations of the FTZ Act. 15 C.F.R.400.61.
5. The Executive Secretary and/or the FTZB may entertain complaints filed by zone participants regarding conditions or treatment that are alleged to be inconsistent with the public utility and uniform treatment requirements of the FTZ Act and Regulations. 15 C.F.R. 400.45.
6. A request for production authorization in a designated zone or subzone must be approved by the FTZB prior to initiation of the production operation under FTZ procedures. 15 C.F.R. 400.14 and 400.23.
7. Zone Schedules are subject to review by the Executive Secretary 15 C.F.R. 400.44.
8. Zone-restricted merchandise may be permitted to be returned into the customs territory by request to the FTZB 15 C.F.R. 400.48.
9. Retail trade requests may be processed by the Executive Secretary 15 C.F.R. 400.47.
10. The FTZB shall submit an Annual Report to Congress 15 C.F.R. 400.51(c)(2).

Role of U.S. Customs and Border Protection:

1. Port Director is local Representative of the FTZB 19 C.F.R. 146.2.
2. Port Director approves activation and alteration requests 19 C.F.R. 146.6 and 146.7.

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 6 OF 15

3. CBP will conduct spot checks and audits.
4. CBP provide recommendation to the FTZB with regard to requests to return zone-restricted merchandise into the customs territory 15 C.F.R. 400.48(b)(4).

Role of Zone Grantee:

1. File all applications with the FTZB.
2. Assist in marketing of zone project.
3. Select Operators and enter into agreements with entities authorizing said entities to function as an Operator.
4. Insure maintenance of facilities. 19 U.S.C. 81l.
5. Insure zone is run as public utility. 19 U.S.C. 81n; 15 C.F.R. 400.42.
6. Insure all parties that apply to make use of or participate in the zone are provided uniform treatment under like conditions. 15 C.F.R. 400.43
7. Concur in all activation requests filed with Customs 19 C.F.R. 146.6.
8. Insure that the Annual Report is timely filed with the FTZ Board. 19 U.S.C. 81p(b); 15 C.F.R. 400.51(c).
9. Submit the Zone Schedule to the Executive Secretary. 15 C.F.R. 400.44.
10. Submit requests to the Executive Secretary of the FTZB with regard to whether an activity constitutes retail trade and can be conducted within the zone 15 C.F.R. 400.47.

Role of Zone Operator:

1. Supervise all admissions, transfers, removals, recordkeeping, manipulations, manufacturing, destruction, exhibition, physical and procedural security and conditions of storage in zone as required by law and regulations. 19 C.F.R. 146.4.
2. Payment of any applicable activation fee and annual fee. 19 C.F.R. 146.5.
3. Prepare written application to the Port Director for activation of zone. 19 C.F.R. 146.6.

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 7 OF 15

4. Make written application to the Port Director for approval of an alteration of an activated area. 19 C.F.R. 146.7.
5. File the requisite CBPF 301 Foreign Trade Zone Operator's Bond with CBP. 19 C.F.R. 146.7.
6. Sign all CBPF 214s permitting merchandise to be admitted into the zone. 19 C.F.R. 146.9.
7. Prepare a Procedures Manual outlining the inventory control system and recordkeeping system to be followed at the zone. 19 C.F.R. 146.21.
8. Responsible for preparing a reconciliation report within 90 days after the end of the zone/subzone year. 19 C.F.R. 146.25.
9. Perform an annual internal review of the inventory control and recordkeeping system and report discrepancies to the Port Director. 19 C.F.R. 146.26.
10. Maintenance of admission documentation. 19 C.F.R. 146.37.
11. Collect all in-bond documentation. 19 C.F.R. 146.40.
12. Filing of a CBPF 216 for permission to manipulate, manufacture, exhibit or destroy merchandise in a zone. 19 C.F.R. 146.52.
13. Report shortages and overages to CBP. 19 C.F.R. 146.53.

Role of Zone User:

1. Payment of customs duties for merchandise entering customs territory.
2. In many instances, the User is responsible for maintenance of inventory control records, particularly where the User has physical possession of zone merchandise. 19 C.F.R. 146.4.
3. In many instances the User is the Operator.

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 8 OF 15

ZONE POLICIES

1. This Zone Schedule is published in accordance with 15 C.F.R. 400.44. The Zone policy, rules, regulations, rates and charges of this schedule shall apply at Foreign-Trade Zone No. 62, unless otherwise provided for.
2. Pursuant to 15 C.F.R. 400.42 and 400.43, the rates and charges for services within the Zone shall be fair and reasonable, and the Grantee shall afford uniform treatment under like conditions to all users. The FTZB shall determine whether the rates and charges are fair and reasonable.
3. All requests and applications to the FTZB by Operators and Users of FTZ No. 62 shall either be submitted by the Grantee or shall include a letter of transmittal or concurrence from the Grantee. Such requests include, but are not limited to, applications for production authority, subzone applications, minor boundary modifications, determinations of or expansions of previously approved scope of authority for Zone procedures. All requests to CBP by Operators of FTZ No. 62 shall include a letter of transmittal or concurrence from the Grantee. Such requests include, but are not limited to, activation, deactivation, or alteration of zone areas.
4. Pursuant to 19 U.S.C 810(c), no merchandise, operation or process of treatment will be permitted in the Zone that is detrimental to the public interest, health and safety
5. All persons conducting business within FTZ No. 62 and all operations moving merchandise into or out of FTZ No. 62 must strictly conform to the Foreign-Trade Zones Act (FTZA), FTZB Regulations, CBP Regulations, this Zone Schedule and all other applicable federal, state and local laws, rules, and regulations. This Zone Schedule may be modified, amended or replaced by the Brownsville Navigation District at any time if it is determined to be necessary or appropriate to do so. The Brownsville Navigation District shall, in its sole discretion, interpret the provisions of this Schedule and determine the applicability of any of its provisions.
6. The following are the legal holidays during which the Zone is closed for regular business:

New Year's Day	January 1
President's Day	3rd Monday of February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4

Effective: March 1, 2014

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 9 OF 15

Labor Day	1st Monday in September
Columbus Day	2nd Monday of October
Veteran's Day	November 11
Thanksgiving Holidays	4th Thursday and Friday in November
Christmas Holidays	24 th and 25th day of December

If a holiday falls on Saturday, the day immediately preceding such Saturday will be observed; and if a holiday falls on Sunday, the following day will be observed.

7. The hours of business and service for CBP purposes, shall be those prescribed in the Customs Regulations. Regular or normal business hours for the Zone shall be between 8:00 AM CST and 5:00 PM CST, Monday through Friday, with the exception of the legal holidays listed above.

INTERNAL RULES

Qualifications:

Persons and business entities may qualify as an FTZ Operator of FTZ No. 62 provided that they have satisfied all requirements imposed by CBP, executed the necessary Operating Agreement with the Grantee and met all additional laws and regulations imposed by agencies having jurisdiction over their activities.

Right of Entry:

Representatives of the Grantee, FTZB, CBP and other authorized U.S. Government Officers, shall have the right to enter the Zone Site at any time for the authorized and lawful purpose of examining the Zone Site, conferring with the FTZ Operator, its agents, invitees and employees on the premises, inspecting and checking operations, supplies, equipment and merchandise, and determining whether the business is being conducted in accordance with the procedures established in the Procedures Manual, the Operating Agreement and pursuant to CBP and FTZB regulations. All such entries shall be in accordance with the established security procedures and with reasonable advance notice to the FTZ Operator.

Retail trade within FTZ 62:

No retail trade may be conducted within FTZ No. 62 unless written approval is issued by the FTZB.

Zone-restricted merchandise:

Zone-restricted merchandise may be transferred to the customs territory only for entry for exportation, for entry for transportation and exportation, for warehousing pending exportation, for destruction (except destruction of distilled spirits, wines and fermented malt liquors), for transfer to another FTZ, or for delivery to a qualified vessel or aircraft or as ground equipment of a qualified aircraft, unless the FTZB has ruled that the return of the merchandise to the customs territory for domestic consumption is in the public interest.

Exclusion from FTZ of goods or process:

The FTZB may at any time order the exclusion from FTZ No. 62 of any merchandise or process of treatment that in its judgment is detrimental to the public interest, health, or safety.

Foreign-Trade Zones Board Annual Report:

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 11 OF 15

The Grantee is responsible for preparing and filing with the FTZB an annual report summarizing all Zone activity from January 1 through December 30 of each year. The report shall be filed by March 31 of each year pursuant to current requirements of the FTZB. By February 15 of each year, all Operators shall submit to Grantee, through the Online FTZ Information System (OFIS) account established for each Operator by Grantee, the data and information required to complete the Annual Report for the FTZB.

Procedures Manual:

The Operator will provide the CBP Port Director with an English language copy of its written inventory control and recordkeeping systems procedures manual and all subsequent changes thereto. The Operator may authorize a Zone User to maintain its individual inventory control and recordkeeping system and procedures manual, however, the Operator remains responsible to CBP and liable under its bond for supervision, defects in, or failures of such a system.

Inventory Control and Recordkeeping System:

The FTZ Operator will maintain an inventory control and recordkeeping system capable of:

- (1) accounting for all merchandise, including domestic status merchandise, temporarily deposited, admitted, granted a zone status or status change, stored, exhibited, manipulated, manufactured, destroyed, transferred, and/or removed from the FTZ;
- (2) producing accurate and timely reports and documents as required by regulations;
- (3) identifying shortages and overages of merchandise in the FTZ in sufficient detail to determine the quantity, description, tariff classification, zone status, and value of the missing or excess merchandise;
- (4) providing all the information necessary to make entry for merchandise being transferred to the Customs territory;
- (5) providing an audit trail to Customs forms from admission through manipulation, manufacture, destruction or transfer of merchandise from the FTZ either by zone lot or Customs authorized inventory method.

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 12 OF 15

Admission of Merchandise:

All merchandise will be recorded in a receiving report or document using a zone lot number or unique identifier. All merchandise, except domestic status merchandise for which no permit for admission is required must be traceable to a CBP Form 214 and accompanying documentation. Quantities received will be reconciled to a receiving report or document such as an invoice with any discrepancy reported to the Port Director. The receiving report or document is required to provide sufficient information to identify the merchandise and distinguish it from other merchandise. Merchandise received will be accurately recorded in the inventory system records from the receiving report or document using the zone lot number or unique identifier for traceability.

Accountability for merchandise:

A zone lot number or unique identifier will be used to identify and trace merchandise. Fungible merchandise may be identified by an inventory method authorized by CBP, which must be consistently applied, such as First-In-First-Out (FIFO) and using a unique identifier. The inventory records will specify by zone lot number, or unique identifier (a) the location of merchandise; (b) zone status; (c) cost or value, except where the Operator's or user's financial records maintain cost or value and the records are made available for CBP review; (d) beginning balance, cumulative receipts and removals, adjustments, and current balance by date and quantity; (e) destruction of merchandise; and (f) scrap, waste, and by-products.

Physical inventories:

The Operator is required to take at least an annual physical inventory of all merchandise in the FTZ (unless continuous cycle counts are taken as part of an ongoing inventory control program) with prior notification of the date(s) given to CBP for any supervision of the inventory deemed necessary. The Operator will notify the Port Director of any discrepancies.

Annual Reconciliation:

The Operator will prepare a reconciliation report within 90 days after the end of the zone/subzone year unless the Port Director authorizes an extension for reasonable cause. The Operator will retain the annual reconciliation report for a spot check or audit by CBP. The report will contain a description of merchandise for each zone lot or unique identifier, zone status, quantity on hand at the beginning of the year, cumulative receipts and transfer (by unit), quantity on hand at the end of the year, and cumulative positive and negative adjustments (by unit) made during the year. The Operator will submit to the Port Director within 10 working days after the preparation of the annual reconciliation report, a letter signed by the operator certifying that the annual reconciliation has been prepared, is available for CBP review, and is accurate. The certification letter is required to contain the name and street address of the Operator, where the required records are available for

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 13 OF 15

Customs review; and the name, title, and telephone number of the person having custody of the records.

Annual system review:

The Operator will perform an annual internal review of the inventory control and recordkeeping system and report to the Port Director any deficiency discovered and corrective action taken.

Shortages and overages:

The Operator will report, in writing, to the Port Director upon identification, as such, of any (a) theft or suspected theft of merchandise; (b) merchandise not properly admitted to the zone; or (c) shortage of one percent or more of the quantity of merchandise in a lot or covered by a unique identifier, if the missing merchandise would have been subject to duties and taxes of \$100 or more upon entry into the customs territory. The operator will record upon identification all shortages and overages, whether or not they are required to be reported to the Port Director at that time, in its inventory control and recordkeeping system. The operator will record all shortages and overages as required in the annual reconciliation report. The person with the right to make entry is required to file, within 5 days after identification of an overage, an application for admission of the merchandise to the zone on CBP Form 214 or file a Customs entry for the merchandise. If a CBP Form 214 or a Customs entry is not timely filed, and the Port Director has not granted an extension of the time provided, the merchandise will be sent to general order.

Receipt of merchandise:

Merchandise will be admitted into FTZ No. 62 only upon application on a uniquely and sequentially numbered CBP Form 214 ("Application for Foreign Trade Zone Admission and/or Status Designation") and the issuance of a permit by the Port Director. Exceptions to the CBP Form 214 requirement are for merchandise temporarily deposited, transiting merchandise, or domestic merchandise admitted without permit.

An Operator may qualify for direct delivery if its operations are predictable and stable over a long term and are relatively fixed in variety; merchandise is not restricted or of a type requiring Customs examination before or on its arrival, and CBP has no reason to believe the merchandise will be inaccurately described in admission documents; and when the Operator is the owner or purchaser of the merchandise.

Manipulation of merchandise:

Prior to any action the Operator is required to file with the Port Director an application (or blanket application) on CBP Form 216 for permission to manipulate, manufacture, exhibit, or destroy merchandise in the zone. After CBP approves the

FOREIGN-TRADE ZONE NO. 62
ZONE SCHEDULE
PAGE 14 OF 15

application (or blanket application), the Operator will retain in his recordkeeping system the approved application. The Port Director is authorized to approve a blanket application for period of up to one year for a continuous or repetitive operation. The Port Director may disapprove or revoke approval of any application, or may require the operator to file an individual application.

Transfer of merchandise to another FTZ Project:

When merchandise is transferred from one FTZ to another, the Operator of the transferring zone must provide the Operator of the destination zone with the documented history of the merchandise being transferred.

Removal of merchandise from FTZ No. 62:

Except domestic status merchandise, no merchandise may be removed from FTZ No. 62 without a Customs permit on the appropriate entry form or other document as required by pertinent regulations. The Port Director may authorize transfer from the zone without physical supervision or examination by a CBP officer. Upon issuance of a permit, the Port Director will authorize delivery of the merchandise only to the operator, who then may release the merchandise to the importer or carrier.

Transfer to customs territory for consumption -- A CBP Form 3461 permit must be filed with and approved by CBP prior to the removal of any foreign status merchandise from FTZ No. 62 for entry into the customs territory for consumption.

Weekly estimated entries for consumption -- An Operator or User may, if it meets certain criteria, remove merchandise from FTZ No. 62 based upon weekly estimated entries. The weekly estimated entry covers any 7 consecutive day period and shall be treated as a single entry for MPF purposes.

Transfer to customs territory for exportation -- A CBP Form 7512 permit must be filed with and approved by CBP prior to the removal of any foreign status merchandise from FTZ No. 62 for entry into the customs territory for exportation. The bonded carrier will assume liability for the transportation and exportation of the merchandise.

Weekly Estimated Exports -- CBP may approve removal for exportation of merchandise from the Zone based on weekly estimates.

FEE SCHEDULES

Grantee Fee Schedule:

The Fee Schedule for FTZ No. 62 is attached as Exhibit A.

Operator Fee Schedules:

Each operator will be responsible for preparation of its own Fee Schedule listing its charges. All rates and charges for all FTZ services within FTZ No. 62 shall be fair and reasonable and the operators shall afford to all who may apply for the use of the FTZ and its facilities uniform treatment under like conditions. The Fee Schedule(s) for Operators at FTZ No. 62 that offer services to the public are attached as Exhibit B.

EXHIBIT A

**GRANTEE'S FOREIGN-TRADE ZONE FEE SCHEDULE
FOR FTZ ESTABLISHMENT**

**Brownsville Foreign-Trade Zone
Foreign Trade Zone No. 62
Effective March 1, 2014**

1. Magnet Site Designation Sponsorship Fee \$20,000.00

This non-refundable Sponsorship Fee is payable by the Owner of the Property to the Grantee prior to the filing of the Application with the FTZB to establish a new Magnet Site. The Property Owner is responsible for the cost of preparing said application as well as any filing fees assessed by the FTZB with regard to the processing of said application.

2. Usage Driven Site Designation Sponsorship Fee \$7,500.00

This non-refundable Sponsorship Fee is payable by the User to the Grantee prior to the filing of the Minor Boundary Modification Request with the FTZB for Usage Driven Site Designation. The User is responsible for the cost of preparing said request as well as any filing fees assessed by the FTZB with regard to the processing of said request.

3. Subzone Designation Sponsorship Fee \$7,500.00

This non-refundable Sponsorship Fee is payable by the Subzone Operator to the Grantee prior to the filing of the Application with the FTZB to establish a subzone. The Subzone Operator is responsible for the cost of preparing said application as well as any filing fees assessed by the FTZB with regard to the processing of said application.

**4. Sponsorship Fee of Production Notification/
Production Authorization Request:**

\$2,500.00

This non-refundable fee is payable by Operator to Grantee prior to submission of a production notification/production authorization request to the Foreign-Trade Zones Board. The Operator is responsible for the cost of preparing said request(s) as well as any filing fees assessed by the FTZB with regard to the processing of said request(s).

**GRANTEE'S FOREIGN-TRADE ZONE FEE SCHEDULE
FOR APPROVED MAGNET SITES**

**Brownsville Foreign-Trade Zone
Foreign Trade Zone No. 62
Effective March 1, 2014**

- 1. Fee for Activation Approval within Magnet Site: \$2,500.00**

This non-refundable fee is payable by Operator to Grantee prior to submission of activation application to United States Customs and Border Protection. Failure by Operator to pay such fee to Grantee will result in Grantee withholding its concurrence to activation.

- 2. Annual Fee for Activated Site within Magnet Site: \$5,000.00**

This non-refundable Annual Fee is payable by Operator to Grantee upon activation of the Site. If activation occurs on a date other than January 1, this Annual Fee will be prorated for the remainder of that calendar year. This Annual Fee is to be paid on January 1 of each year thereafter that the Site remains activated.

**GRANTEE'S FOREIGN-TRADE ZONE FEE SCHEDULE
FOR APPROVED SUBZONES AND USAGE DRIVEN SITES**

**Brownsville Foreign-Trade Zone
Foreign Trade Zone No. 62
Effective March 1, 2014**

**1. Fee for Activation of Subzone or
Usage Driven Site:**

\$2,500.00

This non-refundable fee is payable by Operator to Grantee prior to submission of activation application to United States Customs and Border Protection. Failure by Operator to pay such fee to Grantee will result in Grantee withholding its concurrence to activation.

**2. Annual Fee For Non-Activated Subzone
Or Usage Driven Site:**

\$2,500.00

This non-refundable Annual Fee is payable by Operator of the Subzone or Usage Driven Site to Grantee upon the receipt of FTZ designation by the Foreign-Trade Zones Board. If the designation is received on a date other than January 1, this Annual Fee will be prorated for the remainder of that calendar year. This Annual Fee is to be paid on January 1 of each year thereafter that the subzone or Usage Driven Site is non-activated. This Annual Fee is suspended should the subzone or Usage Driven Site be activated and remains suspended until the subzone or Usage Driven Site is deactivated, at which time Operator will commence payment of this Annual Fee on a yearly basis as described above.

**3. Annual Fee For Activated Subzone or
Usage Driven Site:**

\$5,000.00

This non-refundable Annual Fee is payable by Subzone or Usage Driven Site Operator to Grantee upon activation of the Subzone or Usage Driven Site. If activation occurs on a date other than January 1, this Annual Fee will be prorated for the remainder of that calendar year and Operator will receive a prorated credit for the Annual Fee it paid for that calendar year pursuant to II above. This Annual Fee is to be

paid on January 1 of each year thereafter that the subzone or Usage Driven Site remains activated.