

# Customs Compliance for U.S.-Canada Cross- Border Shipments:

Partner Government Agencies and Other  
Government Departments



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# Introduction

U.S. and Canadian businesses engaged in cross-border shipping are undoubtedly aware of the role that [U.S. Customs and Border Protection \(CBP\)](#) and [Canada Border Services Agency \(CBSA\)](#) have in the customs process. After all, these are the two agencies responsible for managing the flow of goods across their respective country's border, and for ensuring full compliance with all import and export regulations. Less well known, are the dozens of government departments and agencies that also have a role in the border clearance process.

In the United States, these entities are referred to as "[Partner Government Agencies](#)," or "PGAs." There are almost 50 PGAs that set import/export guidance for products falling under their jurisdiction. The [Food and Drug Administration \(FDA\)](#), for example, imposes import requirements for prescription drugs, medical devices,

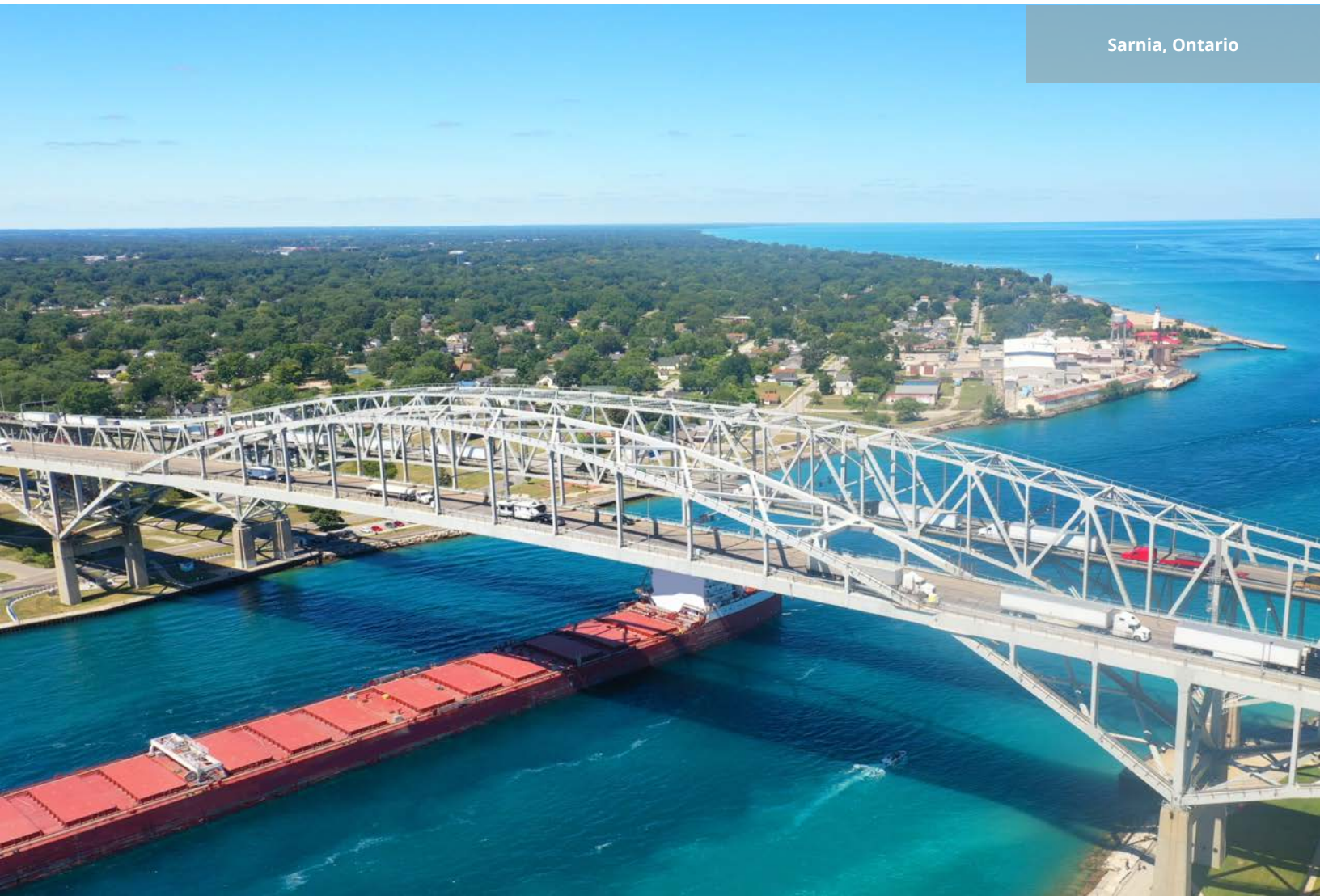
and cosmetics, among other products. CBP acts on behalf of each PGA to ensure shipments entering or leaving the United States meet all requirements.

In Canada, departments and agencies with import/export jurisdiction are generally called "[Other Government Departments](#)," or "OGDs," although they are sometimes referred to as PGAs as well. There are just under 20 OGDs, and CBSA supports each by ensuring shipments have all required permits, inspections, and/or licenses. [Transport Canada \(TC\)](#), for example, is the OGD responsible for imports of vehicles, tires, and related products. Importers of any of these products must ensure full compliance with TC requirements, and have all documentation in place, prior to a shipment's arrival at the border.

Many shippers have had their cross-border shipping strategies derailed by failing to comply with PGA/OGD requirements. According to [Livingston International](#) customs brokers, “neglecting to include the proper paperwork with your shipment can lead to costly delays at the Canadian border, especially when Other Government Departments (OGDs) are involved.”

In most instances non-compliance occurs when a shipper is unaware that additional documentation is needed, or that multiple agencies have jurisdiction over its products, or that a PGA/OGD has changed its compliance requirements. Which is why it's essential for U.S. and Canadian shippers to understand the important role these agencies have in the clearance process. Businesses should know how to determine which, if any, partner agencies have authority over their products, and how to ensure full compliance with all requirements.

The following analysis will provide that understanding. The discussion includes a listing of all U.S. and Canadian PGAs/OGDs, along with information to help shippers determine which may affect their shipments. In addition, shippers will learn that help is available to navigate this tricky part of the customs clearance process, namely by enlisting an experienced customs broker or qualified cross-border logistics provider.



Sarnia, Ontario



Partner Government  
Agencies—PGAS—  
United States

Following is a listing of [Partner Government Agencies \(PGAs\)](#) that, along with Customs and Border Protection, oversee the importation of products into the United States. Please note that this list is not all-inclusive, and that many products fall under the jurisdiction of multiple agencies. A shipper can ensure full compliance with PGA requirements by consulting with a customs broker, or an experienced logistics partner, among other resources.



## Department of Agriculture (USDA)

### **Animal and Plant Health Inspection Service (APHIS)**

APHIS regulates both the import and export of animals and plants.

#### **APHIS Trade**

This agency certifies that U.S. agricultural products shipped to international markets meet importing countries' import requirements, and that products entering the United States meet U.S. standards. The agency also works to eliminate unjustified barriers imposed by trading partners.

#### **APHIS eFile**

This is the online system through which shippers apply for documents including import permits and receive regulatory guidance.

### **Agricultural Marketing Service (AMS)**

Establishes standards and requirements for U.S. agricultural products including food, fiber, and specialty crops.

### **Food Safety and Inspection Service (FSIS)**

FSIS provides guidance on exporting and importing meat and poultry, including packaging and labeling requirements.

### **Foreign Agriculture Service (FAS)**

Oversees regulations affecting trade in food and agricultural products. This includes monitoring levels of pesticides and veterinary drugs found in food and agricultural products in the United States, and coming from more than 70 other countries.



## Department of Commerce

### **Bureau of Industry and Security (BIS)**

The BIS enforces U.S. laws and regulations regarding the export of commodities, software and technology that fall under national security-focused [Export Administration Regulations \(EARs\)](#). EARs regulate the export, reexport and in-country transfer of items with commercial uses that can also be used in conventional arms, weapons of mass destruction, terrorist activities, or human rights abuses.

### **National Marine Fisheries Service (NMFS)**

Regulates imports and exports of seafood and seafood products. However, as the agency notes, “several U.S. agencies regulate the trade of seafood commodities,” which means a business needs to ensure accuracy in identifying the correct regulatory agency.

### **Office of Textiles and Apparel (OTEXA)**

Regulates imports and exports of textiles, apparel, footwear and travel goods. ([Travel goods](#) include trunks, suitcases, computer cases, duffle bags, and other types of containers that have an outer surface made from any textile material.)

### **U.S. Census Bureau**

Responsible for collecting, compiling, and publishing international trade statistics. Collects information on more than 9,000 export commodities and 18,000 import commodities.

### **Foreign Trade Zones Board**

Authorizes the network of more than [360 foreign-trade zones](#) that exist throughout the United States. Businesses can use FTZs to take advantage of special customs benefits including duty deferrals, duty exemptions, state/local tax exemptions, and streamlined processing.

Once approved by the FTZ Board, U.S. Customs and Border Protection assumes responsibility for enforcement of importation laws.

### **Enforcement and Compliance**

Focuses on preventing unfairly traded imports from reaching the United States. The office prioritizes enforcement of anti-dumping and countervailing duty initiatives. [Countervailing duties refers to duties assessed on exports arriving in the U.S. that have been subsidized by a foreign government. [Anti-dumping laws](#) address exports to the United States priced below what is considered “normal value.”]





## Department of Defense

### **Defense Contract Management Agency**

Works directly with defense suppliers to ensure government supplies and services are procured and delivered on time. DCMA works closely with Customs and Border Protection to ensure shipment accuracy and to provide duty free status for qualified shipments.

### **Army Corps of Engineers**

Works with other federal agencies, as well state and local governments, tribal nations, international organizations, and other entities to offer technical assistance with regard to planning, engineering, and construction.



## Department of Energy

### **Office of Energy Efficiency & Renewable Energy**

Engages with foreign nations, multilateral organizations, and global industry to expand the market for U.S. clean energy technologies.

### **Office of Fossil Energy**

Responsible for [federal research and development](#) aimed at advancing technologies to meet U.S. climate goals and minimize environmental impacts of fossil fuel use. With regard to international trade, the agency [issues permits](#) for the import/export of natural gas and liquefied natural gas.

### **Energy Information Administration**

Collects, analyzes and disseminates independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding.

### **Office of General Counsel**

Provides counsel and support to the Energy Department in implementing U.S. laws, regulations, and policies.







## Department of Health and Human Services (HHS)

### Food and Drug Administration (FDA)

Regulates a wide range of products including human and veterinary drugs, medical devices intended for human use, vaccines and other biological products, radiation-emitting electronic products, cosmetics, dietary supplements, tobacco products, and foods (except for some meat, poultry and egg products, which are regulated by the U.S. Department of Agriculture).

### Centers for Disease Control and Prevention (CDC)

Regulates the importation of infectious biological materials for research and development of diagnostics, therapeutics, and vaccines, and to support laboratory testing. Materials that may require import permits include:

- Infectious biological agents capable of causing illness in humans.
- Materials known or reasonably expected to contain an infectious biological agent.
- Vectors of human disease (such as insects or bats).



## Department of Homeland Security (DHS)

### United States Coast Guard (USCG)

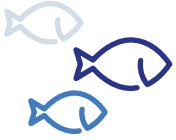
Works with other PGAs to prevent illicit goods from entering the country and to protect the nation's borders. The Coast Guard is the only military branch that does not fall under the authority of the Department of Defense.

### Customs and Border Protection (CBP)

CBP is charged with "preventing terrorists and their weapons from entering the U.S., while facilitating lawful international trade and travel." CBP enforces regulatory protocols on behalf of all PGAs.

### Transportation Security Administration (TSA)

Security agency charged with protecting the nation's transportation systems to ensure freedom of movement for people and commerce. With regard to international trade, TSA coordinates with CBP for implementation of cargo screening initiatives and risk-based shipment assessments.



## Department of Interior

### **Fish and Wildlife Service (FWS)**

The U.S. Fish and Wildlife Service Office of Law Enforcement regulates all international movement of wildlife throughout the United States. FWS also enforces international treaties including the [Convention on International Trade in Endangered Species of Wild Flora and Fauna \(CITES\)](#).



## Department of Labor

### **Bureau of Labor Statistics (BLS)**

Primary government source of data regarding labor market activity, working conditions, price changes, and productivity in the U.S. economy. Provides statistical guidance to other federal departments and agencies to support their data needs.



## Department of Justice

### **Bureau of Alcohol, Tobacco and Firearms (ATF)**

Enforces federal laws and regulations regarding international transactions of firearms, destructive devices, tobacco and alcohol. ATF issues [licenses and permits](#) for individuals who import/export firearms and explosives.

The agency also enforces federal law with regard to [contraband cigarettes](#) that are imported into the United States without tax payment, and offered for sale at discounted prices.

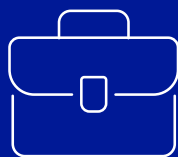
### **Drug Enforcement Administration**

Issues import/export permits for shipments containing controlled substances. The agency works in conjunction with CBP and other agencies to prevent illegal drugs from entering the United States.

Canadian companies employ almost 900,000 workers in the U.S. and nearly 8 million U.S. jobs are tied to trade with Canada.



900,000 WORKERS EMPLOYED  
BY CANADIAN COMPANIES



8 MILLION  
AMERICAN JOBS





## Department of State

### **Bureau of Administration, Office of Logistics Management**

Arranges travel, transportation, and warehousing for U.S. government agency employees and their families as they are assigned to postings around the world.

### **Directorate of Defense Trade Controls**

Manages the export and temporary import of defense articles and services governed by the [Arms Export Control Act](#).

### **Bureau of Oceans and International Environmental and Scientific Affairs**

Works through diplomatic channels to support U.S. policies with regard to protecting the oceans and environment, and to promote international cooperation in science and technology.

### **Office of Foreign Missions**

Supports operations of U.S. diplomatic and consular operations around the world.



## Department of Treasury

### **Alcohol and Tobacco Tax and Trade Bureau (TTB)**

Enforces federal laws regulating importation of alcohol and tobacco products, including issuance of required permits and collection of applicable federal excise taxes.

### **Internal Revenue Service (IRS)**

Issues tax identification numbers which may be required for formal entries. Monitors application of benefits provided by international tax treaties.

### **Office of Foreign Assets Control (OFAC)**

Administers and enforces economic and trade sanctions in support of U.S. national security and other foreign policy objectives. The agency is focused on countering efforts by foreign countries and regimes, terrorists, international narcotics traffickers, and individuals who pose a threat to U.S. national security.

### **Financial Crimes Enforcement Network (FinCEN)**

Safeguards the U.S. financial system from illicit activity and combats money laundering through the collection, analysis, and dissemination of financial intelligence. FinCEN coordinates with counterpart organizations around the world to detect and thwart international networks designed to infiltrate U.S. banks and financial institutions.



# Department of Transportation

## **Federal Aviation Administration (FAA)**

Enforces regulations with regard to the import and export of aircraft and related materials, parts, and appliances.

## **National Highway Traffic Safety Administration**

Regulates imports of vehicles including automobiles, trucks, and motorcycles, along with parts and accessories. Also oversees imports of tires, motorcycle helmets, car seats, and other transportation-related products. Develops and enforces federal motor vehicle safety standards (FMVSS), which establish minimum safety performance requirements for motor vehicles and motor vehicle equipment sold in the United States.

## **Bureau of Transportation Statistics (BTS)**

Preeminent source of statistics on commercial aviation, multimodal freight activity, and transportation economics.

## **Federal Highway Administration (FHWA)**

Coordinates with other federal agencies, including CBP, to carry out federal laws and regulations with regard to highway and infrastructure safety standards. Also works with CBP to facilitate cross-border entry points.

## **Federal Motor Carrier Safety Administration (FMCSA)**

Regulates and provides safety oversight for all commercial motor vehicles.

## **Federal Railroad Administration (FRA)**

Issues permits for shipments of hazardous materials traveling via rail. In addition, the agency works with rail and customs counterparts in Mexico and Canada to facilitate cross-border rail traffic.

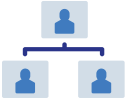
## **Maritime Administration**

Works to improve maritime transport relations with certain countries and to ensure the secure and safe transport of U.S. international trade cargo. Also works to facilitate U.S. carriers' access to foreign trade cargoes and, if warranted, negotiates reciprocal foreign market access treatment for U.S. carriers. This includes access to port and cargo handling facilities, and the ability to establish connecting inter-modal truck and rail services.

## **Pipeline Hazardous Materials Safety Administration (PHMSA)**

Develops and enforces regulations for the safe, reliable, and environmentally sound transportation of energy and other hazardous materials.





## Independent Agencies

### **Consumer Product Safety Commission (CPSC)**

Regulates “[thousands](#)” of consumer products to protect the public against unreasonable risk of injury or death. CPSC administers and enforces multiple laws, and develops regulations and standards to support those laws. This may include testing requirements, documentation requirements, and in some instances, a determination that a product should undergo an additional examination.

#### **Office of Import Surveillance (EXIS)**

[CPSC's Office of Import Surveillance](#) works closely with CBP to identify and examine imports of consumer products. EXIS investigators are located at ports of entry and conduct manual inspections of suspect shipments to ensure compliance with U.S. standards and regulations.

### **Environmental Protection Agency (EPA)**

The [EPA](#) ensures compliance with environmental laws that regulate the import and export of environmentally sensitive products, materials and waste into and from the United States. Applicable products may include pesticides, ozone-depleting substances, chemicals substances, vehicles, engines, and fuels.

### **Federal Communications Commission (FCC)**

The [FCC](#) ensures enforcement of U.S. communications laws and standards. This includes oversight of [radio frequency equipment](#) and device imports. The agency's [Office of Engineering and Technology \(OET\)](#) ensures radio frequency devices meet technical requirements for safe operation within the United States. According to the FCC, almost all electronic/electrical products are capable of emitting radio frequency energy, and must be tested to demonstrate compliance with FCC requirements.

### **International Trade Commission (ITC)**

The ITC publishes and maintains the [Harmonized Tariff Schedule of the United States](#), which is the listing of all product tariff classification codes. The agency mediates cases in which imports are alleged to be injurious to U.S. domestic industry, or violative of U.S. intellectual property rights.

### **Nuclear Regulatory Commission (NRC)**

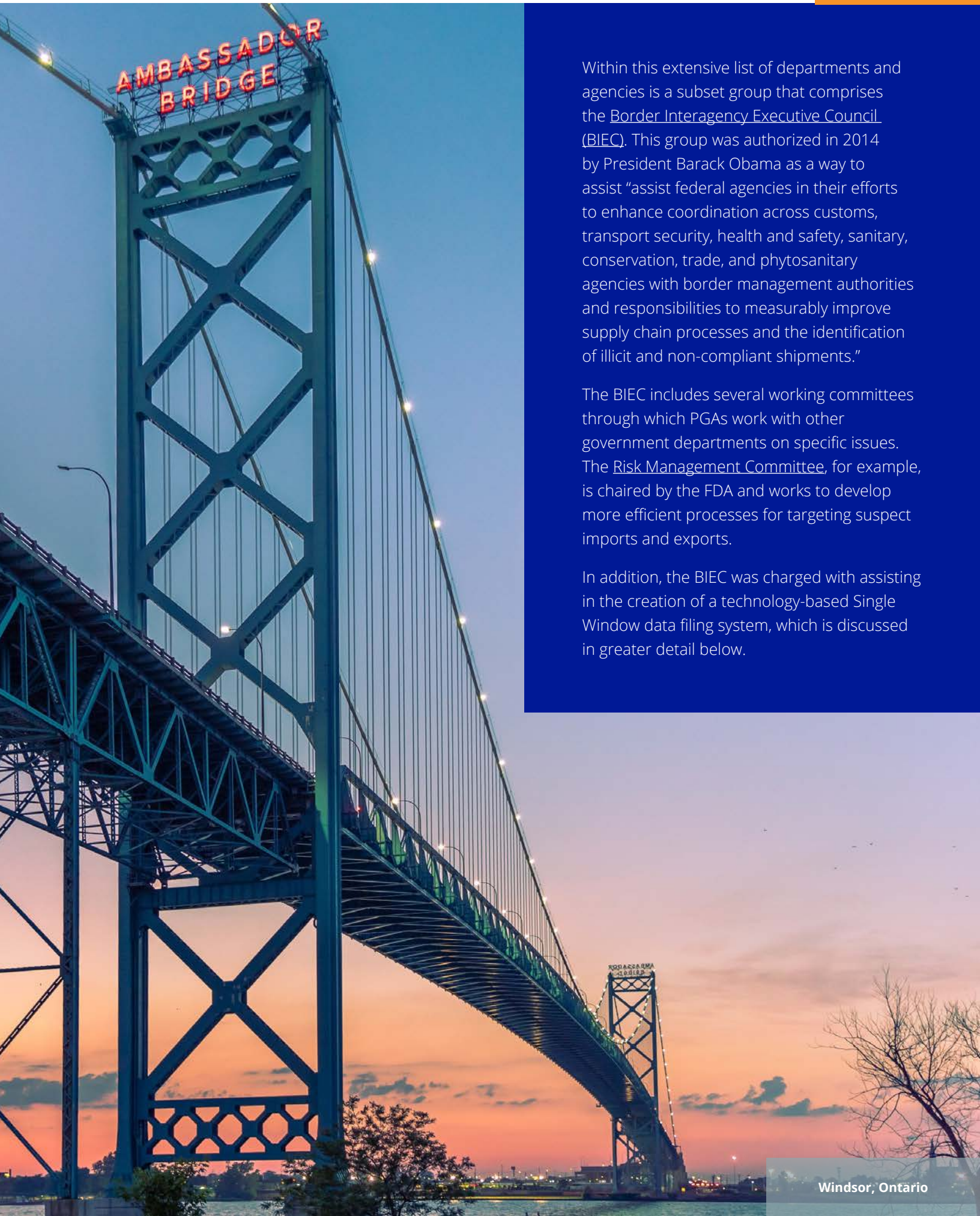
Maintains licensing authority for imports and exports of commodities associated with nuclear energy, as outlined in federal law.

### **U.S. Agency for International Development (USAID)**

Supports U.S. foreign policy by providing international development and disaster assistance to certain countries. Administers programs that offer export opportunities to U.S. suppliers of services and commodities in designated recipient countries.

### **Office of the United States Trade Representative (USTR)**

Enforces U.S. trade policy and resolves international disagreements with regard to bilateral and multilateral trade issues, market access for American goods and services, international commodity agreements, and allegations of unfair trade practices.



Within this extensive list of departments and agencies is a subset group that comprises the [Border Interagency Executive Council \(BIEC\)](#). This group was authorized in 2014 by President Barack Obama as a way to assist “assist federal agencies in their efforts to enhance coordination across customs, transport security, health and safety, sanitary, conservation, trade, and phytosanitary agencies with border management authorities and responsibilities to measurably improve supply chain processes and the identification of illicit and non-compliant shipments.”

The BIEC includes several working committees through which PGAs work with other government departments on specific issues. The [Risk Management Committee](#), for example, is chaired by the FDA and works to develop more efficient processes for targeting suspect imports and exports.

In addition, the BIEC was charged with assisting in the creation of a technology-based Single Window data filing system, which is discussed in greater detail below.



# Other Government Departments and Agencies —OGDs—Canada



In Canada, CBSA assists other federal departments and agencies in administering and enforcing applicable regulations and legislation. These entities are referred to as “other government departments,” or “OGDs.” CBSA has [compiled a list](#) of “commonly imported commodities,” that may require permits or certificates from one or more OGDs. That list includes:

**[Canadian Firearms Program \(Royal Canadian Mounted Police\)](#)** Commodities/Areas of Responsibility: Firearms.

**[Canada Post](#)**

Commodities/Areas of Responsibility: Canada Post is the national postal provider of Canada. The agency [facilitates the customs process](#) by “presenting all incoming international packages to the CBSA for customs review.” The agency requires special consideration for items that cannot be imported through the mail including perfumes, perishable items, flammable liquids, and replica or inert munitions, among other products.

**[Canadian Food Inspection Agency \(CFIA\)](#)**

Commodities/Areas of Responsibility: [Food](#), plants, animals (terrestrial and aquatic) and related products.

CFIA also oversees food labeling and recalls, wood packaging and international waste and used machinery/equipment.

**[Canadian Heritage](#)**

Commodities/Areas of Responsibility: Goods on the [Cultural property export control list](#).

**[Canadian Nuclear Safety Commission](#)**

Commodities/Areas of Responsibility: Nuclear material, equipment and technology.

The agency also regulates imports of radiation emitting devices, and nuclear-related, dual-use material, equipment and technology.

**[Competition Bureau \(Industry Canada\)](#)**

Commodities/Areas of Responsibility: Clothing labels, marking of precious metals, packaging and labeling of non-food products. Responsible for enforcement of the [Consumer Packaging and Labelling Act](#).

**[Controlled Goods Program \(Public Services and Procurement Canada\)](#)**

Commodities/Areas of Responsibility: Goods and technologies with military or national security implications.



### **Environment and Climate Change Canada (ECCC)**

Commodities/Areas of Responsibility: [Endangered or threatened species](#) of plants and animals, along with [hazardous waste](#) and hazardous recyclable material. The agency also regulates imports of ozone-depleting substances (ODS) and products containing ODS.

ECCC enforces the international [Convention on International Trade in Endangered Species of Wild Fauna and Flora \(CITES\)](#) treaty.

### **Fisheries and Oceans Canada (DFO)**

Commodities/Areas of Responsibility: Fish and seafood.

### **Global Affairs Canada**

Commodities/Areas of Responsibility: [Controlled products](#) including agricultural products, [softwood lumber](#), steel, textiles and clothing, [firearms](#), and [goods under trade embargoes](#).

### **Health Canada**

Commodities/Areas of Responsibility: Consumer goods, drugs, food, medical devices, natural health products, pesticides, pharmaceuticals, radiation-emitting devices, toxic substances, and vitamins.

### **Innovation, Science and Economic Development Canada (ISED)**

Commodities/Areas of Responsibility: Radio communications, telecommunications equipment, Intellectual property rights.

### **Canada Energy Regulator (formerly the National Energy Board)**

Commodities/Areas of Responsibility: Natural gas, including butane, propane and ethane by-products. Electricity, gas, oil.

### **Natural Resources Canada (NRC)**

Commodities/Areas of Responsibility: [Explosives](#) including [fireworks](#) and ammunition.

[Diamonds](#) (Kimberly Process Office), regulated energy-using products, [forest products](#).

### **Public Health Agency of Canada (PHAC)**

Commodities/Areas of Responsibility: Human pathogen and toxins, along with specific section of the [Health of Animals Regulations](#).

### **Transport Canada (TC)**

Commodities/Areas of Responsibility: Vehicles and tires, transportation of dangerous goods.





How Do I Know If  
My Products Need  
PGA/OGD Approval?

Businesses are responsible for determining if their products fall under the scope of any PGAs/OGDs, and for ensuring full compliance with each agency's requirements. Keep in mind, certain products fall under the jurisdiction of multiple PGAs, and will not be released for entry—or approved for export—until each agency has issued its approval.

## United States— Determining PGA Requirements

In the United States, several agencies facilitate the process by maintaining databases that list “regulated products” that fall under their control. A business can identify possible PGA requirements by checking with all applicable agencies. A few helpful links include:

**Animal and Plant Health Inspection Service.** APHIS offers quick access to electronic manuals that provide import requirement guidance for the plants, plant products, animals, and animal products that fall under its purview.

**Consumer Product Safety Commission**  
**“Jurisdiction Guidance.”** The CPSC advises that, because its oversight extends to thousands of products, “often it’s easier to say what we don’t regulate.” As such, the agency maintains a listing of “Products Not Under CPSC Jurisdiction,” which can help businesses identify the correct agency for ensuring full compliance.

**Consumer Product Safety Commission Regulated Product Database.** Offers a product-by-product overview of applicable laws and regulations.

**Centers for Disease Control.** Guidance from the CDC states clearly: “If you plan to import one of the following items, you will need an import permit from CDC,” with listed items that include:

- Infectious biological agents capable of causing illness in humans (e.g., bacteria, viruses, fungi).
- Materials known or reasonably expected to contain an infectious biological agent (e.g., blood, tissues, fluids).
- Vectors of human diseases (e.g., mosquitoes, ticks, bats).

**Environmental Protection Agency.** The EPA provides detailed guidance on its [website](#) to assist shippers in the import/export compliance process.

**Food and Drug Administration.** The FDA provides a listing of regulatory requirements for all products that fall under the agency’s jurisdiction. The [Importing FDA Regulated Products](#) website provides importers with an overview of import requirements for each product category.

**National Highway Traffic Safety Administration.** The agency maintains a detailed [“Frequently Asked Questions” section](#) on its website that addresses issues related to import requirements for products under its jurisdiction. In addition, the agency’s Office of Vehicle Safety Compliance (OVSC) maintains an [“Importation and Certification” section](#) that addresses issues related to vehicle imports.



Canada purchases half of its worldwide imports from the U.S. Meanwhile, the U.S. represents nearly half of all foreign direct investment in Canada.



**National Marine Fisheries Service.** Members of the seafood trade community can access the agency's [Seafood Import and Export Tool](#) to identify precise NOAA trade monitoring programs that apply to their specific products.

**Office of Textiles and Apparel.** The agency lists comprehensive "[U.S. Market Entry Requirements](#)" that direct members of the trade community to various resources for information about labeling, product safety, and product-specific import information.

**U.S. Fish and Wildlife Service.** The Office of Law Enforcement offers guidance for products that fall under USFWS authority. All wildlife imports and exports must comply with U.S. regulations, and must enter or exit the United States through a [Designated U.S. Fish and Wildlife Service Port](#). First-time shippers should reach out to their nearest USFWS Office of Law Enforcement, located in designated port facilities.

The USFWS [notes](#): "[W]e are not the only Government Agency that regulates shipments containing wildlife." Other agencies that may have oversight for a particular product include:

- [U.S. Department of Agriculture](#)
- [Centers for Disease Control](#)
- [U.S. Customs and Border Protection](#)
- [National Oceanic and Atmospheric Administration Fisheries](#)
- [U.S. Food and Drug Administration](#)
- [U.S. Postal Inspection Service](#)

## **Centers of Excellence and Expertise**

In addition to checking with a particular agency, CBP maintains a network of [Centers of Excellence and Expertise](#), which can help shippers determine PGA requirements. The network consists of 10 different centers located throughout the United States, with each serving as an "information hub" for designated product categories. Each Center is staffed by product experts who can assist members of the trade community in the cross-border process. Current trade centers include:

Location	Areas of Expertise
Buffalo, New York	Industrial and Manufacturing Materials
New York, New York	Pharmaceuticals, Health & Chemicals
Detroit, Michigan	Automotive and Aerospace
Chicago, Illinois	Base Metals
Atlanta, Georgia	Consumer Products and Mass Merchandising
Miami, Florida	Agriculture and Prepared Products
Houston, Texas	Petroleum, Natural Gas, and Minerals
Laredo, Texas	Machinery
Los Angeles, California	Electronics
San Francisco, California	Apparel, Footwear, and Textiles

Canada supports U.S. manufacturing:  
roughly 79% of Canadian goods exports to the  
U.S. are used in the production of other goods.



### **Automated Commercial Environment (ACE)**

The Automated Commercial Environment (ACE) is the single point-of-entry filing system used by members of the trade community to transmit all customs-related materials to CBP. Through ACE, importers/exporters submit all required documentation—including [PGA-required materials](#)—and the system automatically routes required materials to applicable PGAs.

ACE is described in greater detail below.

## **Canada—Determining OGD Requirements**

The Canadian government makes available a number of resources to assist shippers in determining if a particular commodity is regulated by a specific OGD. Those resources include:

### **Single Window Initiative—Regulated Commodities Data Matching**

Similar to the United States, Canada maintains a single window filing system for all customs-related transactions. Canada’s system is called the [Single Window Initiative \(SWI\)](#) and is managed by CBSA. All required information and documentation are submitted via the SWI, and then funneled to all appropriate government departments and agencies.

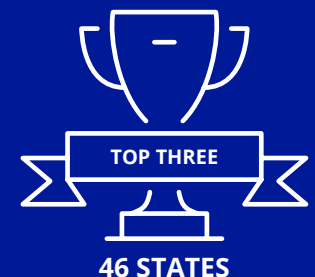
The system includes a [“Regulated Commodities Data Element Matching”](#) process, which quickly determines if a product is regulated by a certain agency. This helps shippers determine any and all OGDs with authority over their products.

Currently [nine](#) OGDs use the Single Window to manage their import and export transactions. Those OGDs—which are referred to as Partner Government Agencies (PGAs)—include:

- Canadian Food Inspection Agency
- Canadian Nuclear Safety Commission
- Environment and Climate Change Canada
- Fisheries and Oceans Canada
- Global Affairs Canada
- Health Canada
- Natural Resources Canada
- Public Health Agency of Canada
- Transport Canada



**Canada is the largest export market for 36 states, and top three for 46 states.**



CBSA offers [an example](#) of how the Regulated Commodities process works:

A Trade Chain Partner would like to determine if a commodity identified by HS [Harmonized System] code 290314000 (the most common HS Code for Ozone-depleting substances) is regulated by Environment and Climate Change Canada.

### STEP 1

Select Environment and Climate Change Canada from the list of PGAs for the Data Element Matching Criteria Table.

Use Ctrl+F to search for a specific data element.  
In this case, HS code is chosen for the data element.

### STEP 2

### STEP 3

Type in 290314000, which is the HS code that might be regulated by one of Environment and Climate Change Canada's programs.

HS code 290314000 will **NOT** be identified as a valid HS code for any Environment and Climate Change Canada program.

### STEP 4

### STEP 5

Since HS code 290314000 is not a matching data element, the commodity is **NOT** regulated by Environment and Climate Change Canada's Ozone-Depleting Substances and Halocarbon Alternatives Program.

Shippers can rely on the Regulated Commodities Data Element process to quickly determine if a certain commodity falls under the scope of any of the nine participating PGAs. For products regulated by OGDs that are not aligned with the Single Window, a shipper must consult each agency's import/export criteria.

- The [Department of Canadian Heritage](#), for example, which administers and enforces the [Cultural Property Export and Import Act](#) in collaboration with CBSA, offers detailed guidance on its [website](#) for obtaining required permits.
- [Innovation, Science and Economic Development Canada](#) provides detailed instructions for importing radio and telecommunications equipment. The [Canada Energy Regulator](#) (formerly the National Energy Board), which manages imports and exports of natural gas, electricity, and oil, provides detailed instruction via its website. Licenses are issued following a written process that includes a public comment period, among other requirements.
- The [Canadian Firearms Program](#), which is managed by the [Royal Canadian Mounted Police](#) law enforcement agency, regulates imports and exports of firearms. Interested parties can obtain useful information about permit requirements by accessing the [RCMP's website](#).

- The [Canadian Food Inspection Agency](#) offers an online reference tool, the [Automated Import Reference System \(AIRS\)](#) to identify products that fall under its purview. The agency also offers detailed information for regulated products including:



**Food**



**Dairy Products**



**Meat Products**



**Animal, Animal Products and By-Products**



**Plants and Plant Products**



**Fruits and Vegetables**



**Forestry Products**



**Seeds**

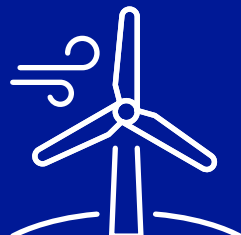


**Fish and Shellfish**



**Fertilizer**

Canada is abundant with natural resources, making us a trusted and stable supplier.





# Non-Government Resources To Assist With PGA/OGD Compliance





Many shippers choose to enlist a third party—usually a customs broker or experienced logistics provider—to manage the customs process on their behalf. Such entities will have in-depth knowledge about all customs requirements, including the precise regulations imposed by each PGA/OGD. Third-party experts will also keep pace with any changes to compliance requirements, which is very important since PGAs/OGDs frequently update protocols, often with little notice.

## Customs Brokers

According to [CBP](#), customs brokers are “private individuals, partnerships, associations or corporations licensed, regulated and empowered by U.S. Customs and Border Protection to assist importers and exporters in meeting federal requirements governing imports and exports. Brokers submit necessary information and appropriate payments to CBP on behalf of their clients and charge them a fee for this service.”

[CBSA](#) offers a similar definition, but stresses that “only a licensed customs broker may account for goods and pay duties” on behalf of an importer. “Importers who do not wish to transact business with the CBSA directly may authorize an agent to transact business on their behalf,” the agency advises.

CBP maintains a listing of all authorized [customs brokers](#). A similar listing of [Canadian customs brokers](#) is maintained by Canada Border Services Agency.

## Logistics Providers

Another option is to seek out the services of an experienced logistics provider that offers U.S.-Canadian customs compliance expertise. Most providers do not have this capability, so a shipper may have to research viable options. In doing so, [Purolator](#) will likely appear on a list of likely candidates. [Purolator](#) offers end-to-end solutions for shipments moving between and within the United States and Canada, including expertise in customs compliance. A team of trade compliance specialists assists shippers with CBSA and CBP compliance, including PGA/OGD import and export requirements.

By providing customs compliance expertise, Purolator essentially “closes the loop” with cross-border services that include:

- **Comprehensive service throughout the United States** that ensures highly efficient service to the border. Pickups are tailored to a shipper’s specific business needs, with shipments often consolidated for even faster service to the border. Consolidation can also mean freight and courier shipments picked up at the same time, via a single truck. This is yet another option for streamlining a cross-border shipping strategy.
- **Customs efficiency.** Shipment documentation is reviewed by Purolator’s trade specialists to ensure that all customs-related requirements are complete. This includes all PGA/OGD-required permits, licenses, examinations, and other compliance mandates.
- **Comprehensive courier and freight services throughout Canada**, with in-network access to all provinces and territories. Shippers can choose from an extensive portfolio of service options to ensure on-time deliveries that meet customer needs with a firm focus on flexibility and efficiency.
- **Last mile services.** From indoor deliveries to time-specific deliveries to special white glove services and 24/7 visibility, Purolator offers extensive capabilities that ensure on-time, safe, and customer-friendly deliveries.

Customs brokers and qualified logistics providers can be very helpful in managing PGA/OGD compliance requirements. However, keep in mind that the importer remains liable for all information supplied to CBSA or CBP on its behalf. According to [CBP](#), “the importer is always ultimately responsible for knowing CBP requirements and for ensuring their importation complies with all federal rules and regulations, but using a customs broker can save you from making costly mistakes.” [CBSA](#) echoes this point by noting, “Although importers may use an agent to transact business with the CBSA, the importer is ultimately responsible for the accounting documentation, payment of duties and taxes, and subsequent corrections such as re-determination of classification, origin, or valuation.”

This means then, that a business should review all information, and have confidence in its accuracy, prior to submission.

IN 2022, CANADA’S FDI  
**STOCK IN THE  
UNITED STATES  
TOTALLED  
\$589 BILLION.**

Almost \$1 trillion per year,  
or \$2.5 billion each day,  
in bilateral trade.



A close-up photograph of a person's hand holding a rugged handheld device, likely a PDA or scanner, over a clipboard with documents. The person is wearing a dark blue uniform sleeve. The background is blurred, showing what appears to be a warehouse or office setting with cardboard boxes. The image has an orange border on the right and bottom edges.

# PGA/OGD Compliance Requirements

Once a product is identified as falling under the scope of a PGA/OGD, the next step is to determine the agency's precise compliance protocols. According to [Livingston International](#) customs brokers, this can mean obtaining a special permit, certificate or other paperwork, in addition to the standard customs documentation. "In some cases," [Livingston](#) notes, "shipments may require examination by customs officers to verify proper marking or labeling. In others, qualified inspectors, working on behalf of the OGD in question, must review the documentation and/or examine the goods prior to release."

Compliance requirements will vary depending on each PGA/OGD and based on a product's unique attributes. Keep in mind, products that require approvals from multiple PGA/OGDs must be sure to meet each agency's specific requirements.

A few examples include:

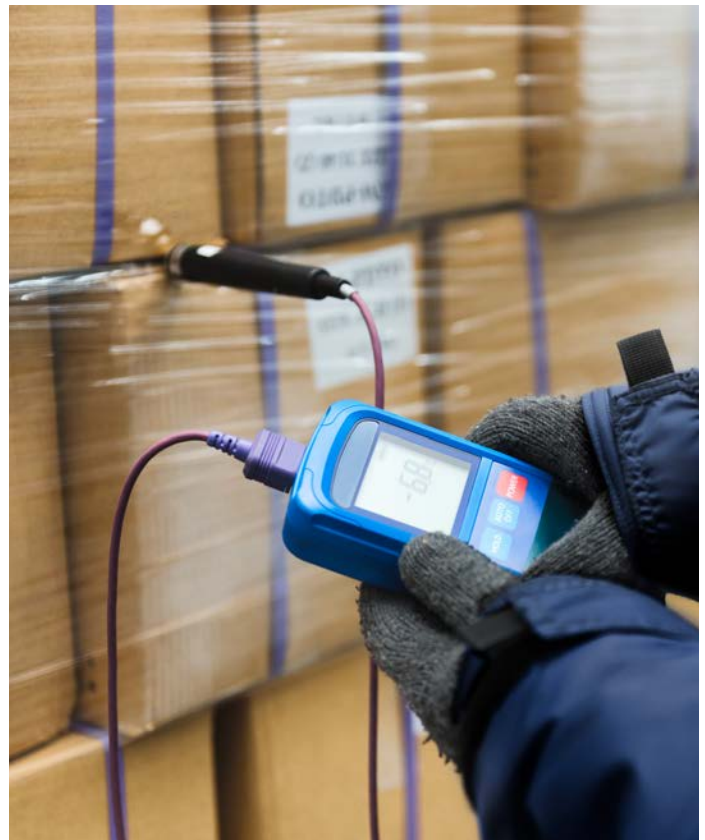
## U.S. Select Product Requirements

- **Household Appliances.** Dishwashers, clothes washers and dryers, dehumidifiers, and refrigerators are among the consumer products regulated by the [Department of Energy](#). Importers must ensure products meet U.S. standards for applicable energy and/or water conservation standards, and must follow all testing and certification requirements. In addition, appliances must meet [Federal Trade Commission](#) labeling requirements.
- **Radio Frequency Devices.** Products including radios and televisions must be accompanied by an [FCC declaration](#) certifying that the imported model or device meets all agency requirements.
- **Textile Products.** Textiles fall under the regulatory authority of [multiple agencies](#) including the Federal Trade Commission, Consumer Product Safety Commission, Environmental Protection Agency, and the U.S. Department of Agriculture.

While specific requirements are complex, especially with regard to the product's country of origin, an overview provided by [USA Customs Clearance](#) advises:

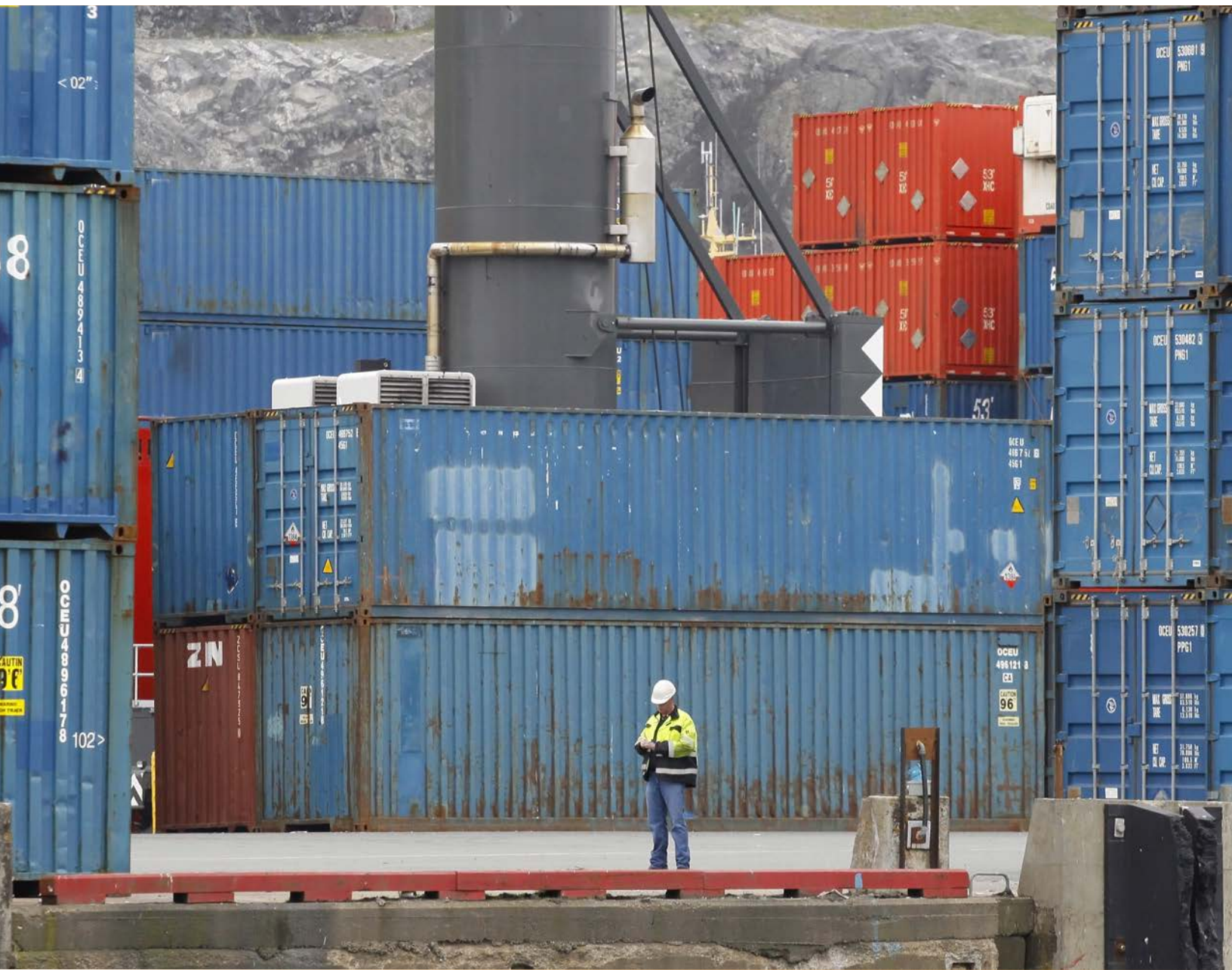
***"The Environmental Protection Agency will check for toxic substances and pesticides. Federal Trade Commission agents are primarily responsible for verifying product label and intellectual property compliance. Textiles are frequently seized due to violation of intellectual property laws. The Department of Agriculture will inspect any clothes claimed to be organic to ensure they are free of synthetic materials. Finally, the Consumer Product Safety Commission will ensure that textiles meet flammability requirements."***

- **Heavy Equipment.** Tractors, bulldozers, excavators and other types of [heavy equipment coming from Canada](#) must meet EPA emission regulations and comply with all CBP documentation requirements.



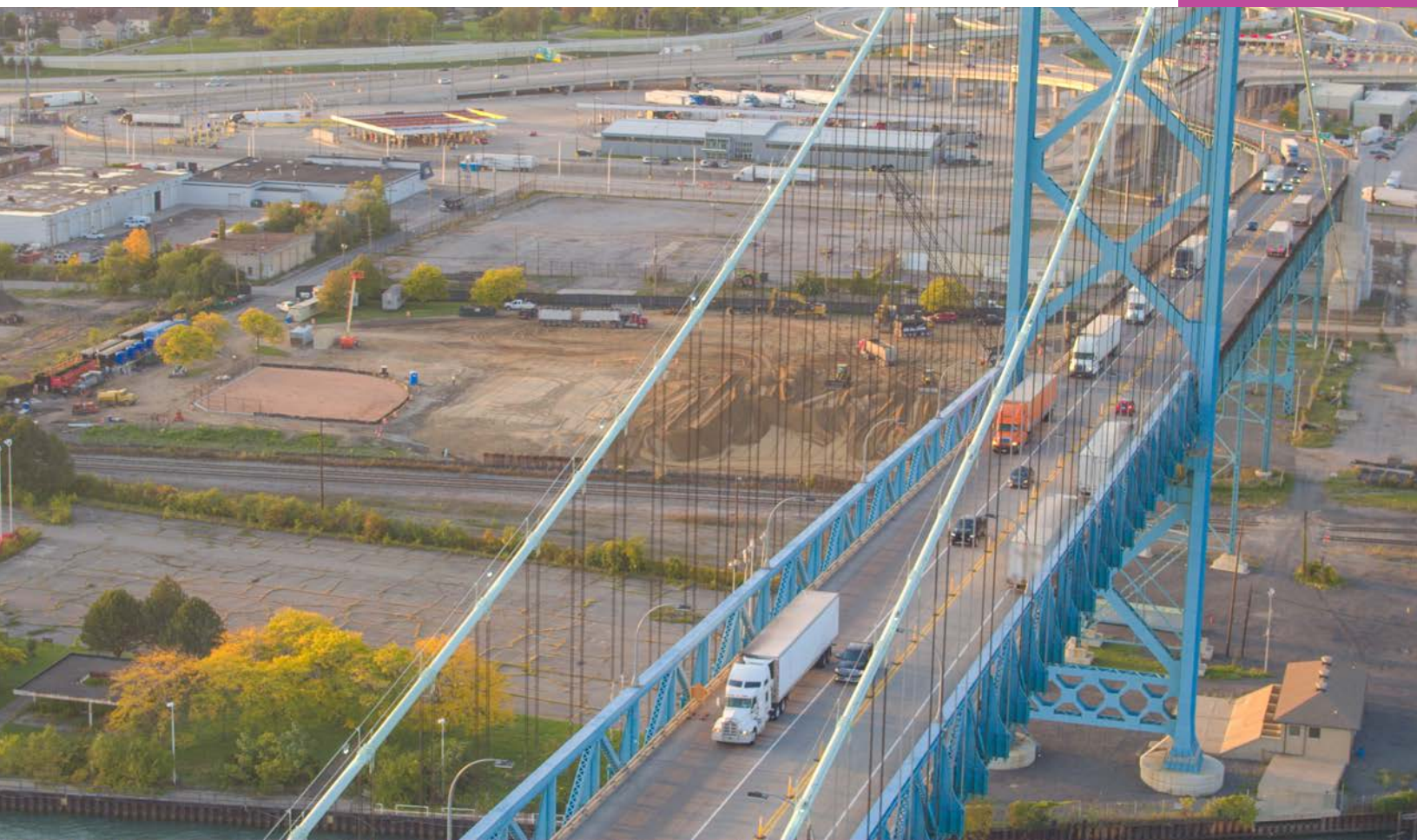
## Canada—Select Product Requirements

- **Food products, plants, and animals.** Products regulated by the [Canadian Food Inspection Agency \(CFIA\)](#) must provide documentation as outlined in the [Automated Import Reference System \(AIRS\)](#). CFIA will review all documentation and in certain circumstances, will require additional permits, certificates, or inspection by a CFIA officer.
- **Drugs, pharmaceuticals, cosmetics, and medical devices.** [Health Canada](#) import requirements vary depending on which schedule a drug falls under. According to [Pacific Customs Brokers](#), a product may require an ingredient list or Drug Identification Number (DIN).
- **Vehicles.** [Transport Canada](#) requires approval [prior to import](#) to ensure compliance with Canada Motor Vehicle Standards.





# Single Window Filing Systems Simplify the PGA Process



Customs compliance took a giant step forward when both the United States and Canada introduced “single window” technology-based management systems. Through the single window, members of the trade community were provided with a single point of access for submitting and managing all customs-related information. Information and documentation are entered at the single point of entry, and then routed to all applicable PGAs/OGDs.

Previously, shippers had to navigate a complicated system of legacy computer systems that were unable to “talk” to each other and required shippers to submit identical information and documentation multiple times. In some instances, government agencies had yet to transition to technology, forcing shippers to manually complete and submit documentation.

The single window initiative is rooted in the 2011 “[Beyond the Border](#)” action plan announced by U.S. President Barack Obama and Canadian Prime Minister Stephen Harper. The plan called for bilateral cooperation in initiatives intended to increase trade between the two countries, namely by facilitating cross-border compliance

procedures. Development of a single window processing system was a [cornerstone](#) of the agreement and has, in fact, helped to improve the customs compliance process. This is especially true in facilitating compliance with PGA/OGD requirements.

## United States—Single Window Filing through ACE

In the United States, traders access the single window through the [Automated Commercial Environment \(ACE\)](#) system. The system can be used for [extensive customs-related services](#) ranging from entry summary filings to duty payments to compliance with PGA requirements, among many other capabilities.

Because the system is technology-based, a user must be familiar with all technical requirements before attempting to access the system to satisfy customs requirements. Detailed information is available on the [CBP website](#), but a few critical concepts/terms include:

- **Interoperability Web Services.** This refers to the pipeline through which data is transmitted between CBP and PGAs.
- **PGA Message Set.** The consolidated data collected electronically from trade partners by CBP on behalf of PGAs. Data submitted in this manner, CBP notes, has replaced the volumes of paper forms formerly required by multiple agencies.
- **Document Image System (DIS).** Functionality that allows trade partners to submit documentation electronically as image files to CBP and PGA.

Users can access each PGA's "user guide" for specific information about documentation and information requirements. PGA user guides currently available include:

- [Animal and Plant Health Inspection Service \(APHIS\)](#)
- [U.S. Department of Agriculture](#)
- [Environmental Protection Agency](#)
- [Fish and Wildlife Service](#)
- [Food and Drug Administration](#)
- [Food Safety Inspection Service](#)
- [National Highway Traffic Safety](#)
- [State Department Directorate of Defense Trade Controls](#)

In addition, users can access [import](#) and export forms required by various PGAs.

The [Automated Commercial Environment](#) makes it easier for members of the trade community to meet PGA compliance requirements. But since successful use of the system requires a few steps and an understanding of technical requirements, a shipper will need to invest the time to ensure accuracy.







## Canada—Single Window Initiative

Canada's filing system is called the [Single Window Initiative \(SWI\)](#), and was implemented in [2017](#). Similar to its U.S. counterpart, SWI facilitates the customs compliance process for members of the trade community. The system supports [nine](#) participating government departments and agencies, representing 38 government programs.

The Single Window Initiative includes two service options for submitting required information and documentation to CBSA:

- Integrated Import Declaration (IID)
- License, Permit, Certificate and Other Documentation (LPCO).

Following is a brief discussion of each.

### Integrated Import Declaration

The [Integrated Import Declaration \(IID\)](#) is the “foundation for the modernization of government business processes,” according to [Livingston](#) customs brokers. The IID is, essentially, the “single filing document” that ensures consistency across the single window.

Through IID, filers submit all CBSA and PGA/OGD required information at the same time, through a single report. The electronic form can be used both for shipments that are subject to PGA review, and those that do not fall under the scope of any PGAs.

A form can be filed with CBSA as many as 90 days prior to a shipment's arrival at the first point of entry, thus improving the likelihood that a shipment will be pre-cleared for entry when it does arrive in Canada. Important to note though, not all PGAs will approve shipments that far in advance.

## IID Data Requirements

Each PGA/OGD provides an overview of SWI requirements and can be accessed as follows:



### Canadian Food Inspection Agency

- [All Programs \(Animal Health, Feed, Fertilizer Safety, Food, Plant Health, Plants with Novel Traits, and Seed\)](#)



### Canadian Nuclear Safety Commission

- [Nuclear substances and equipment](#)



### Environment and Climate Change Canada

- [Hazardous Waste and Hazardous Recyclable Materials](#)
- [Ozone Depleting Substances and Halocarbon Alternatives](#)
- [Vehicle and Engine Emissions Program](#)
- [Wildlife Enforcement](#)



### Fisheries and Oceans Canada

- [Trade Tracking Program](#)
- [Aquatic Invasive Species](#)
- [Aquatic Biotechnology](#)



### Global Affairs Canada

- [Import Controls of Agricultural, Steel, and Textiles and Clothing Products](#)



### Health Canada

- [Consumer Product Safety](#)
- [Human Drugs](#)
- [Natural Health Products](#)
- [Importation of Controlled Substances and Precursors](#)
- [Veterinary Drugs](#)
- [Radiation Emitting Devices](#)
- [Blood and Blood Components](#)
- [Cells, Tissues, and Organs](#)
- [Active Pharmaceutical Ingredients](#)
- [Donor Semen](#)
- [Medical Devices](#)
- [Pesticides](#)



### Natural Resources Canada

- [Office of Energy Efficiency](#)
- [Explosives](#)
- [Kimberly Process \(Rough Diamonds\)](#)



### Public Health Agency of Canada

- [Pathogens and Biological Toxins](#)



### Transport Canada

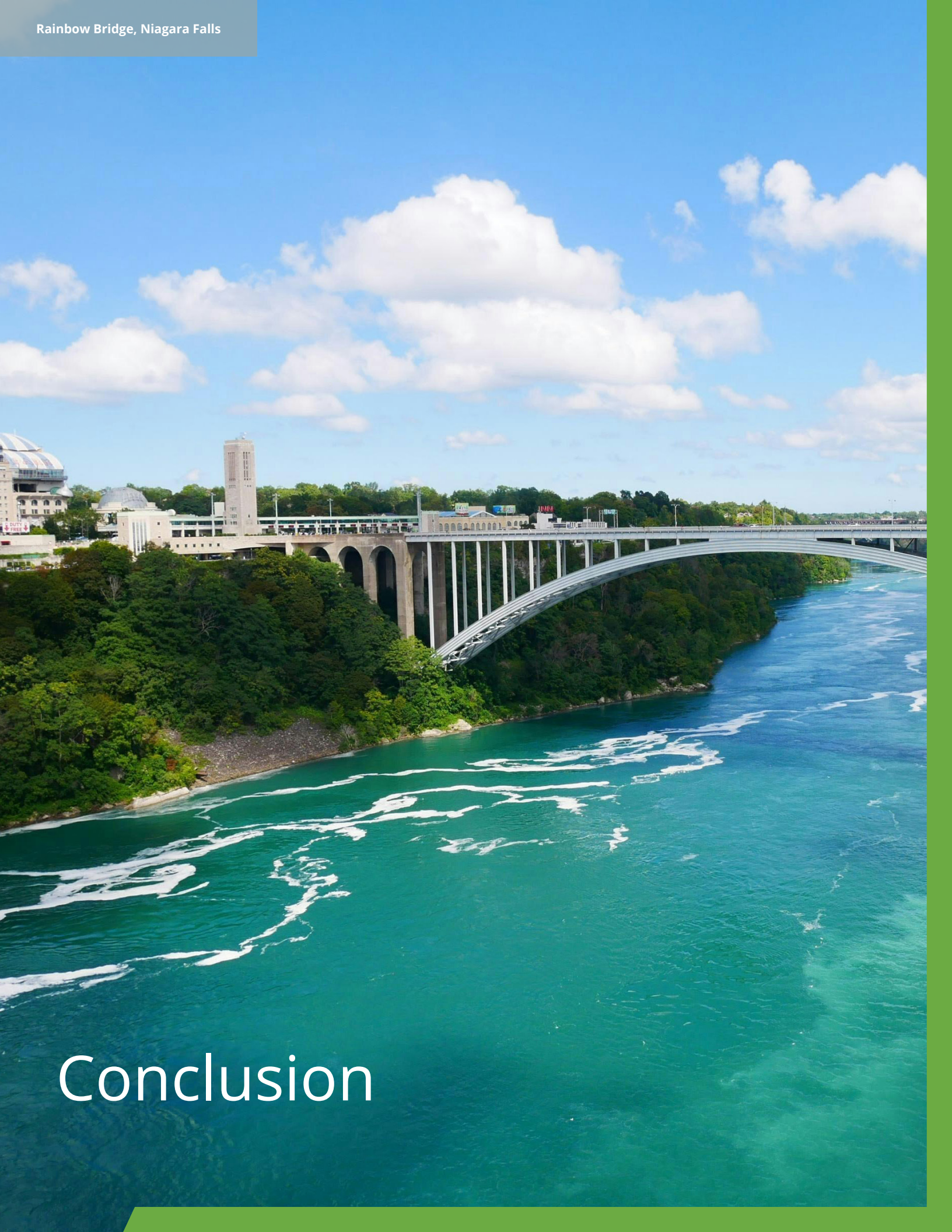
- [Vehicles and Tires](#)

These guides, known officially as “data elements rationales,” are current as of late 2024. Important to note, they do not include guidance for all Canadian OGDs. [CBSA](#) advises that “more data elements rationales will be posted as they become available.”

## License, Permit, Certificate and Other Documentation (LPCO)

A second feature of the Single Window Initiative is the “License, Permit, Certificate and Other Documentation (LPCO) function. Though LPCO, importers address PGA requirements for forms, permits and other types of documentation.





# Conclusion

## Conclusion

On a single evening in May 2023, U.S. Customs and Border Protection (CBP) officers in Louisville, Kentucky seized three separate shipments suspected of containing counterfeit luxury goods including fake Rolex watches, Louis Vuitton handbags, and VanClef & Arpels necklaces, among other high-profile brands. If the goods had been legitimate, the value would have exceeded \$3.1 million.

“These types of seizures happen every night,” LaFonda Sutton-Burke, director of CBP’s Chicago office said at the time. Unfortunately, she’s right. During 2022, CBP seized more than 27,000 shipments of illicit goods, with an estimated value in excess of \$3.3 billion. That figure marked a 152 percent increase over the previous year.

In its annual report discussing IPR-related seizures, CBP gives credit to the partner agencies with which it works to detect unsafe products, intellectual property theft, and unfair trade practices.

As this example illustrates, partner government agencies provide the expertise and insight necessary to ensure products crossing the border are legitimate and meet domestic standards for performance and quality. And while most shipments will not trigger such extreme concerns, the example makes clear the important role these agencies have in the customs clearance process.

Products that fall under the scope of a partner government agency need to fully meet all compliance requirements—or risk being held at the border. PGA/OGD compliance is an unavoidable, important step in the customs clearance process. But help is available, in the form of government resources as well as third-party customs brokers and logistics professionals.





Need support with your  
cross-border logistics?  
Purolator can help.

Contact us

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Promises delivered™

[purolator.com](https://www.purolator.com)