



Urgent new air cargo security measures for cargo destined for the USA and Canada

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1. Introduction

In response to increased civil aviation threats, the United States Transportation Security Administration (TSA) and Transport Canada has recently implemented new emergency measures, effective immediately, in respect of all air cargo destined for or transiting/transferring through the United States, where such cargo originates from Europe and the Commonwealth of Independent States (CIS). The new emergency measures come in the wake of reports of two packages containing incendiaries having caught on fire within European parcel networks.

Due to the complexity and suddenness of the new requirements, FIATA has received industry feedback voicing concerns on the uneven application of the new measures, as well as the new technical and operational challenges brought by the new data requirements introduced in the US Advance Cargo Air Screening (ACAS) programme. The challenges in implementing the new requirements have reportedly led to certain air carriers imposing an embargo on all cargo originating from Europe and the CIS region. These emergency measures will therefore have a significant impact on shippers in these regions, particularly for micro, small and medium-sized enterprises (MSMEs) with lower volume shipments.

2. Emergency measures: Industry implications

The below information constitutes the latest emergency measures as known by FIATA at the date of publication.

2.1. European and CIS countries impacted

According to the emergency measures, and subject to the exceptions listed in 2.2.2, cargo originating from Europe and the CIS region are currently subject to the new emergency measures.

2.2. “Established business relationship” or Known Consignor requirement

According to the emergency measures, and subject to the exceptions listed in 2.2.2, cargo originating from Europe and the CIS regions can only be transported on passenger aircraft where it was tendered by a shipper who:

- a. is a Known Consignor; or
- b. has an existing “established business relationship” with a regulated agent (such as a freight forwarder) or air carrier.

2.2.1. Demonstrating an “established business relationship”

For the purposes of the new emergency measures, an “established business relationship” is:

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- a. A business relationship that was established **before** the effective date of the emergency measures. This must be demonstrated by the evidence of an account with physical and billing addresses, as well as a documented payment/credit/sales history or other documented business records; or
- b. an account that was accepted by the regulated agent or air carrier **on or after** the effective date of the emergency measures, with documentation containing business registration and contact details, payment information, and a signed contract with the regulated agent or air carrier.

Subject to the exceptions listed in 2.2.2 below, in the event that the shipper is not a Known Consignor or a “established business relationship” cannot be demonstrated within the meaning of the emergency measures, any cargo or consolidated shipment entering, transiting or transferring through the US can only be transported by cargo aircraft, charter, or ocean freight. In addition, cargo and consolidated shipments tendered by such shippers will be subject to enhanced security and screening measures implemented by air carriers, as approved by TSA.

2.2.2. Exceptions

The above emergency measures do not apply to:

- a. items weighing less than 16 ounces (453.6 grams);
- b. mail;
- c. diplomatic pouches;
- d. US government shipments tendered on a US Government Bill of Lading or air waybill where a US Government entity is listed as the shipper.

2.3. New data requirements – Enhanced ACAS Security Filing

In addition, the new emergency measures include changes to the US ACAS programme, introducing “Enhanced ACAS Security Filing”, which must be conducted by entities currently responsible for filing the standard ACAS Security Filings. This requires additional data elements to be submitted in respect of the actual shipper of the goods to better identify the parties involved in the air cargo supply chain, prior to the cargo being loaded onboard a US-bound aircraft.

Further information on the required data elements are available on the dedicated [Frequently Asked Questions](#), available on the US Customs and Border Protection (CBP) website.

3. Action required

Economic operators impacted by these new emergency measures are invited to review their business relationships and supply chain planning as soon as possible to minimise any detrimental consequences on their business. It is reminded that the information provided is subject to change without notice, and industry stakeholders are encouraged to check frequently for any updates on the US CBP website.

FIATA is working closely with its extensive airfreight logistics network to monitor the situation and support the industry in implementing the new emergency measures. FIATA calls on air carriers to

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continue to, as far as possible, accept cargo tendered from European and CIS countries in accordance with the new emergency measures, to foster the smooth flow of trade. In addition, FIATA continues to call on governments worldwide for greater harmonisation in data requirements in pre-loading advance cargo information programmes to facilitate effective and efficient industry compliance, whilst meeting the safety and security objectives of such programmes. FIATA also underlines the importance of increased and consistent engagement between governmental authorities and economic operators to ensure effective and pragmatic regulation and its effective implementation.