



Export Compliance Plan Standard Operating Procedure (SOP) Campus Business Services ScotSurplus / Receiving Services / Mail Room	
Document Number:	ECP-20210110-SOP3
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INTRODUCTION

This Standard Operating Procedure (“SOP”) outlines the processes used to foster a culture of compliance with U.S. Export Controls¹ and the University of California - Policy on Export Control (“Export Control Policy”)². This SOP is in furtherance of the local Export Compliance Program Plan (“ECP”) maintained and regularly reviewed and updated by the campus Export Control Office.

PURPOSE

To help ensure that UCR Members³ do not experience customs delays, seizure of goods, or inadvertent violation of applicable U.S. Export Controls; this SOP establishes basic and minimal responsibilities of an exporter and describes general requirements and red flag indicators for international shipping or hand carry of items abroad (collectively herein, “international shipment”).

RESPONSIBILITIES

Before proceeding with international shipments, as the exporter, UCR Members are responsible for the following:

- Complete and submit a [Request to Ship form](#) to determine if an export license or other authorization is required for your international shipment.
- Perform [Restricted Party Screening \(“RPS”\)](#)⁴ using [Descartes Visual Compliance](#) for all foreign entities, institutions, organizations, or individuals (collectively herein, “end-user or recipient”) involved in the international shipment.
- Determine the best method and logistics company used for your international shipment. UCR Members requiring assistance in selecting carriers for their international shipment may contact [American Cargo Service, Inc.](#) (“ACS”)⁵ or [UCR Receiving Services](#).
- Prepare all Commercial / Proforma Invoice documents with all necessary data elements needed for the international shipment, i.e., Schedule B, HTS Code, Country of Origin, Valuation.
- Coordinate with the foreign end-user or recipient to determine import requirements for the destination country. Imports may be stopped by Customs officials in the importing country if the

¹ U.S. Export Controls include without limitation the Export Administration Regulations (“EAR”), International Traffic in Arms Regulations (“ITAR”), and regulations and orders administered by the Treasury Department’s Office of Foreign Assets Control (“OFAC”)

² University of California – Policy on Export Control dated June 21, 2018, as amended. <https://policy.ucop.edu/doc/2000676/ExportControl>

³ UCR Members include faculty, academic appointees, staff, students, including student employees as defined in the Management Commitment of the UCR Export Compliance Program Plan. https://exportcontrol.ucr.edu/sites/g/files/rcwecm5456/files/2021-10/ECP-20210110_0.pdf

⁴ Review Standard Operating Procedure ‘Restricted Party Screening (RPS), End-Use & End-User Checks’ for instructions on how to perform RPS. <https://exportcontrol.ucr.edu/documents-and-procedures>

⁵ The University of California has Systemwide Agreements for Customs Brokerage & International Freight Forwarding Services with American Cargo Services (ACS). <https://www.acssan.com/services/university-of-california/>



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proper import licenses are not included in the paperwork. Import requirements vary greatly by country.

- Coordinate with [UCR Environmental, Health and Safety \(“EHS”\)](#) for international shipments involving biological materials, hazardous or dangerous goods, and dry ice shipments.

GENERAL REQUIREMENTS

The following requirements apply to all international shipments to a destination outside the United States, regardless of whether the items (e.g., equipment, materials, software, technology, samples, etc.) involved in the international shipment are sold, used for research, loaned, donated, or being sent outside of the United States on a temporary basis.

Export License Review

International shipments may require an export license or other license authorization based on the item (including its associated technical data), shipping destination, end-use or end user. To determine if a license is required, four questions must be answered:

- What are you exporting (i.e., what is its export control classification)?
- Where are you exporting to?
- Who are you exporting to (i.e., will receive your item)?
- What will your item be used for?

To initiate an export license review for your international shipment, a [Request to Ship form](#) must be completed and submitted to the Export Control Office. See Appendix B for step-by-step instructions on how to complete the Request to Ship form.

Note 1: If a researcher has a project or technology that is export controlled and needs an export license to proceed, he/she must curtail the activity until a review to determine if an exception or exclusion applies or if a license is required.

Note 2: License reviews, application and approvals or denials can take up to 3-6 months (or longer for OFAC) before a final determination is made. Each license is for a specific export transaction.

Export Control Classifications

A key in determining whether an export license is needed for your international shipment is to know whether the item you are intending to export has a specific export control classification. Export control classifications can be either an ECCN (Export Control Classification Number - alphanumeric code) or ITAR Category (USML Roman numeral). ECCN's and ITAR Categories are US specific, determined based on technical listings in export regulations. Depending on the export control classification, an export license or license exception may



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Revision Date:	09/10/2025

be required based on the ship to entity, end user or country of destination. The Export Control Office can assist with obtaining or determining your export control classification.

Sanctioned Countries

Cuba, Iran, North Korea, Syria, Russia, Belarus, and Ukraine are countries with strict import and export license requirements. If you will be sending or receiving items to/from one of these countries, the transaction must first be reviewed by the Export Control Office, as prior approval from the U.S. Government may be required before the transaction can proceed. (Refer to U.S. Department of Treasury Sanctions Programs and Country Information for current listings: <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information>).

Restricted Party Screening, End-Use & End-User Checks

Certain individuals and organizations (e.g., end-users) are prohibited from receiving U.S. exports and others may only receive goods if they have been licensed, even items that do not normally require license based on the ECCN and country of destination.

Before proceeding with an international shipment, Restricted Party Screening (“RPS”) will be performed by the Export Control Office using Descartes Visual Compliance. RPS is used to assess whether the person, entity, institution, or organization is on a U.S. Government restricted list and determine if the proposed activity is authorized, or if approval is required from the relevant government agency. (Refer to Standard Operating Procedure (SOP) Restricted Party Screening, End-Use & End-User Checks for further information on the RPS process <https://exportcontrol.ucr.edu/documents-and-procedures>).

In addition, some end-uses are prohibited, while others may require a license. For example, you may not export to certain parties involved in the proliferation of weapons of mass destruction (i.e., nuclear, biological, chemical) and the missiles to deliver them, without specific authorization, no matter what your item.

Note: Appendix C contains a list of “red flags” adapted from a [checklist](#) provided by the Bureau of Industry and Security that indicate an end-user or recipient of the item you are shipping may not be authorized to receive them under export control regulations. While not all-inclusive, the list is intended to illustrate the types of circumstances that should cause reasonable suspicion that a transaction could violate export control regulations.

Invoice Requirements

Pro Forma Invoice - A pro forma invoice is required for all exports. You may also see this referred to as a commercial invoice (“CI”). Even though you are not selling the item you are shipping, if it is not a personally owned item, you need a pro forma invoice. A pro-forma invoice may be automatically generated if you are using an online expediter system (such as FedEx or UPS). If you are using an expediter paper system, then you



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will need to create your own pro forma invoice and include it in your package and keep a copy in your shipping records.

Information required (all items in the shipment must be declared on the invoice)

- The date that the invoice is created
- A unique invoice number
- Purchase / Sales Order Number
- Incoterm or payment method
- The complete name and address including country of the ship from and ship to party/company these are also known as the Exporter of Record / Shipper and the Importer of Record / Consignee
- A complete and concise description of the goods shipping
 - Example, do not indicate “Cells”, you need to indicate what kind of cells”
 - Example Wrong: cells; Right: – human liver cells
- The country of origin (manufacture) of the item
- Quantity: Accurate number of each piece shipping
- Weight listed in kilograms
- Value of Product: Unit price and Extended total price
- The total invoice amount
- The Destination Control Statement
- The export classification number (i.e., ECCN or ITAR category) and/or the approved export license authorization (i.e., license number, exemption / exception, NLR)
- Tariff Classification (i.e., Schedule B or HS-code)

Customs & Tariff Classifications

The Harmonized System is an international classification system standardized between countries at a basic 6-digit level, with country-specific definitions for the 8- and 10-digit levels. It is used to classify physical goods. Commodity classifications in the U.S. are given in two publications, one for exports and one for imports:

Schedule B

A Schedule B number is a 10-digit number used in the United States to classify physical goods for export to another country. The Schedule B is based on the international Harmonized System (HS) of 6-digit commodity classification codes and is administered by the U.S. Census Bureau.

The Census Bureau offers a free, widely used online Schedule B search tool at www.census.gov/scheduleb that can help you classify your products. The Schedule B search tool is the most commonly used method for classifying products. The site provides training resources to help you better identify your Schedule B number, as well as contact information for assistance.



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If your item is difficult to classify, the Customs Rulings Online Search System (CROSS) database at <https://rulings.cbp.gov/home> can help you find its Schedule B code. CROSS contains official, legally binding rulings from other exporters and importers' requests for Schedule B codes. Use this database to determine whether other exporters or importers requested a ruling on the same or a similar product and, if so, what that ruling was.

Harmonized Tariff Schedule (HTS) of the United States

The HTS is a 10-digit import classification system that is specific to the United States. The HTS is administered by the U.S. International Trade Administration Commission (USITC). USITC offers a free online training module, A Guide to the Harmonized Tariff Schedule of the United States, located at <https://usitc.gov/elearning/hts/menu/> designed to provide a basic understanding of the HTS and explain how to read the tariff schedule. The HTS is used to determine tariff classifications for goods imported into the United States.

Customs Valuation

The World Trade Organization and Customs in each country require accurate valuation of goods being imported or exported. No country accepts a zero-dollar value. The minimum value that can be declared is \$1. If the item is not being sold the invoice should indicate the value for Customs purposes only, item not for sale, for research purposes only.

Why is the valuation declaration important?

The Value determines if there are special government filings required in the U.S. prior to the export of the goods. Declared invoice value is the basis for any applicable duty or taxes/fees that are due in the ship-to country. Customs know what the typical value is for goods; a low value can be a red flag. If there are any import or export penalties, the penalties are assessed against the value of the goods.

- Valuation for Purchased goods: If the item was purchased then the value to be declared should be equal to the PO price or quote.
- Valuation for In-house developed item i.e., test equipment: The value should = the cost of goods + laborValuation for Prototypes provided free of charge; the supplier should provide the price of the item if it were to be sold.

Export Declarations

Electronic Export Information ("EEI") must be filed in the Automated Export System ("AES") in the following situations:

- for any ITAR shipment.
- export transactions valued over \$2,500 (per Schedule B / HS-code).
- exports transactions that require an export license whether it is shipped or hand carried.



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- export transactions destined to the Peoples Republic of China (including Hong Kong), Russia or Venezuela regardless of value.

If an EEI is required, the AES ITN (proof of filing transaction number) must be listed on the airway bill. The export declaration EEI can be filed through a UC authorized freight forwarder or transport carrier.

Tools of the Trade

There is an exemption for filing in AES when exporting a Tool of the Trade for temporary export. This typically applies to items you are carrying. To qualify for the “tool of trade” exception, the export must:

- Be for less than one year.
- Be a piece of equipment that people in the traveler’s discipline would generally recognize as a “tool of trade.”
- Be under the traveler’s effective control. This means that the item must always be kept in the traveler’s physical possession, or secured in a hotel safe, a bonded warehouse, or a locked conference facility.
- The travel cannot include a sanctioned country (e.g., Cuba, Iran, North Korea, Syria, Russia, Belarus, or Ukraine).

Travelers should not take ANY of the following without first obtaining specific advice:

- Data or information received under an obligation of confidentiality.
- Devices, equipment, or computer software received with restrictions on export to or access by foreign nationals.

Devices, systems, or software specifically designed or modified for military or space applications (even if these items are used in an academic research setting).

Packaging and Marking

The following Destination Control Statement must be made part of the proforma/commercial invoice for any item(s) subject to the EAR:

“These items are controlled by the U.S. Government and authorization for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations.”

For ITAR controlled items, please contact the Export Control Office for specific packaging and marking requirements.

Export Compliance Plan Standard Operating Procedure (SOP) Campus Business Services ScotSurplus / Receiving Services / Mail Room	
Document Number:	ECP-20210110-SOP3
Issue Date:	10/04/2021
Revision Date:	09/10/2025

For the import or export of biological materials, hazardous or dangerous goods, and dry ice shipments, individuals are advised to contact EH&S Biosafety ehsbiosafety@ucr.edu for specific packaging, marking and permit requirements.

RECORDKEEPING

All shipping records including pro forma invoice, airway bill, export filings and associated communications are required to be maintained for a period of five (5) years from the date of the export. Request a copy of relevant documents from your shipper or print them when using an online application. Your shipper (such as DHL, FedEx, or UPS) will not keep copies of shipping records for you.


QUESTIONS

Before you ship internationally, do you know the answers?



WHAT

- What are you exporting?
- What is its export control classification?
- What is the value of the item(s)?



WHERE

- Where are you exporting to?
- Is the destination permissible for receipt of the item and its end-use?
- Is a license required?
- Are there import restrictions at the destination?



WHO

- Who are you exporting to?
- Is the recipient the ultimate end-user?
- Has RPS been performed for the individuals and their organization(s)?



WHY

- Why is the item needed and what will it be used for?
- Is the items end-use permissible without a license?

Note: Remember that every export is also an import at the international destination. For assistance with these questions, please contact the Export Control Office.



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Revision Date:	09/10/2025

APPENDIX A – REVISION HISTORY

Date	Reason	Notes
10/04/2021	Final Version Release	Initial release
09/30/2022	Updated process flow	
09/10/2025	Updated format and made minor grammatical changes throughout for simplified reading. Revised hyperlinks to Request to Ship form and RED flags checklist. Deleted original Appendix B – Request to Ship Form template. Renamed appendices throughout. Updated Request to Ship Form Instructions.	

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Issue Date:	10/04/2021
Revision Date:	09/10/2025

APPENDIX B - REQUEST TO SHIP FORM INSTRUCTIONS

The following steps are provided as a guide on completing the Request to Ship form used to initiate the export licensing review with the Export Control Office.

Note: Please ensure all requested information is complete and provided to the best of your knowledge, as missing information may delay the export licensing review. Completed forms should be submitted to the Export Control Office as far in advance of shipping date as possible, as it can take on average 3 months to obtain a license from the U.S. Government if one is required.

S1. To access the online Kualibuild webform, navigate to the International Shipping block located on the Export Control website: <https://exportcontrol.ucr.edu/>

S2. Complete sections A – E of the form as outlined below.

Section A – Provide contact information for the UCR Member(s) responsible for the items being shipped (i.e., the Principal Investigator (PI) or designee).

Section B – Identify the method of transportation you plan to use for your international shipment and address all listed questions.

Section C – Provide contact information of the foreign end-user or recipient, including physical address, country of destination, that will receive the shipment. To the best of your knowledge, address all questions related to the foreign end-user or recipients known activities.

Note: Sanctioned Countries - Cuba, Iran, North Korea, Syria, Russia, Belarus, and Ukraine are destinations with strict import and export license requirements. If your international shipment includes one of these destinations, please be advised that before the international shipment can proceed, prior authorization in the form of an export license from the U.S. Government may be required. The review and approval of an export license application by the U.S. Government can take up to 3-6 months (or longer for OFAC) before a final determination is made. Each license application is for a specific export transaction and are subject to denial by the U.S. Government.

Section D – Identify the intended end-use by the foreign end-user or recipients.

Note: Prohibited End-Uses - certain end-uses are prohibited, while others may require a license. For example, you may not export to certain end-users or recipients involved in the proliferation of weapons of mass destruction (i.e., nuclear, biological, chemical) and the missiles to deliver them, without specific authorization from the U.S. Government, no matter the item.

Section E – Address all questions and provide detail information when prompted.

Section F – List all items being shipped and ensure complete information is provided for each item. Attach any supporting documents relevant to the items being shipped.

S3. Once all information has been completed, click Submit in the top right-hand corner. Completed forms are routed to the Export Control Office and are reviewed in the order received.

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APPENDIX C - RED FLAG INDICATORS IN EXPORT TRANSACTIONS

The following “red flags” are adapted from a [checklist](#) provided by the Bureau of Industry and Security that indicate a recipient of the item you are shipping may not be authorized to receive them under export control regulations. While not all-inclusive, they are intended to illustrate the types of circumstances that should cause reasonable suspicion that a transaction could violate export control regulations.

- The recipient or its address is similar to one of the parties found on a list of denied persons.
- The recipient or purchasing agent is reluctant to offer information about the end-use of the item.
- The requested material or product’s capabilities do not fit the recipient’s line of business or expertise.
- The requested materials are incompatible with the technical level of the country to which it is being shipped, such as semiconductor manufacturing equipment being shipped to a country that has no electronics industry.
- The recipient is willing to pay cash for the material.
- The recipient has little or no academic, scientific, or research background.
- The recipient is unfamiliar with the materials or product’s performance characteristics but still wants the product.
- Routine installation, training, or maintenance services are declined by the recipient.
- Delivery dates are vague, or deliveries are planned for out of the way destinations.
- A freight forwarding firm is listed as the product’s final destination.
- The shipping route is abnormal for the product and destination.
- Packaging is inconsistent with the stated method of shipment or destination.
- When questioned, the recipient is evasive and especially unclear about whether the requested material or product is for domestic use, for export, or for reexport.

If these red flags or other suspicious circumstances are present, you have a duty to exercise due diligence and ensure there is an appropriate end-use, end-user, or ultimate country of destination. Parties engaging in export transactions are required by the EAR to obtain documentary evidence concerning the transaction; misrepresentation or concealment of material facts is prohibited, both in the licensing process and in all export control documents. Do not put on blinders that prevent the learning of relevant information, determine whether the red flags can be explained or justified so as to evidence the bona fides of the recipient and the legitimacy of the transaction.

If you continue to have reason for concern after your inquiry, then you should either refrain from the transaction or submit all the relevant information to BIS in the form of an application for a validated license or in such other form as BIS may specify. If the red flags are not cleared and you proceed with the transaction, you run the risk of violating export control regulations. If there are no red flags in the information, you should be able to proceed with a transaction in reliance on information you have received.

Export Compliance Plan Standard Operating Procedure (SOP)	
Campus Business Services ScotSurplus / Receiving Services / Mail Room	
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Issue Date:	10/04/2021
Revision Date:	09/10/2025

APPENDIX D - PROCESS MAP

