

Temporary Procedures for Releasing Merchandise from Ports Issued

ATTORNEYS

- Isis Carballo-Irigoyen
- Yamary I. González-Berríos
- Rubén Muñiz-Bonilla
- Lillian Toro-Mojica
- Mariana M. Contreras-Gómez
- Leyla González-Ibarria
- Xenia Vélez

PRACTICE AREAS

- Tax

An McV Tax Alert

September 29, 2017

Due to the impact of Hurricane Maria, the Puerto Rico Treasury Department (“Treasury”) issued two important Informative Bulletins that provide temporary measures related to the release of merchandise. The following is a summary of both:

Informative Bulletin 17-19

Establishes a temporary procedure to release merchandise from the ports. To such effect, Treasury authorized the manual release of the following articles (“Authorized Articles”):

- Food
- Medicine
- Raw Material
- Animals
- Perishable products
- Energy Power Generators
- Articles introduced by bonded importers

The manual release procedure is as follows:

- The importer must visit the Tax Consumption Bureau (“Bureau”) located in the Offices of Crowley in the ports zone at Isla Grande and must submit the following documents:
 - Bill of Lading
 - Manifest
 - Copy of Importer’s Bond in effect
 - Evidence of payment of any applicable tax
 - Name of consignee
 - Cost of Merchandise

Temporary Procedures for Releasing Merchandise from Ports Issued

To the extent possible, the importer must send the information listed above to the following e-mail address: puertos@hacienda.pr.gov.

- The Authorized Internal Revenue Agent (“Agent”) will review the documents submitted by the importer and will authorize the manual release of the shipment if the merchandise is Authorized Merchandise and the applicable taxes have been paid. The Agent will stamp a note in the Bill of Lading stating that the release is authorized (“Se autoriza levante”) including the date, signature, and the name and batch number of the Agent.
- The original document signed by the Agent will be sent to the Bureau Director and a copy will be delivered to the importer to process the release.
- The importer must retain for its records a copy of the Bill of Lading authorizing the manual release in order to complete the Monthly Return of Imports.

In those cases in which the Authorized Merchandise to be introduced is subject to the payment of excise taxes or sales and use taxes (SUT), the Agent will provide to the Importer a Form SC 2005 duly completed. Once the importer submits Form SC 2005 duly stamped by Treasury officials located at Crowley, the Agent will then authorize the release of the merchandise by following step No. 3 above. To the extent applicable, the importer must pay the corresponding tax to obtain the release of the merchandise.

Treasury will issue a Circular Letter establishing a procedure applicable to re-seller merchants to claim credits provided under PR Code Section 4050.04 (SUT credits for use tax paid on articles introduced for re-sale).

Informative Bulletin 17-20

Extends, until further notice, the application of the manual release procedure established in IB 17-19 to ***all merchandise*** introduced to Puerto Rico.

The content of this McV Alert has been prepared for information purposes only. It is not intended as, and does not constitute, either legal advice or solicitation of any prospective client. An attorney-client relationship with McConnell Valdés LLC cannot be formed by reading or responding to this McV Alert. Such a relationship may be formed only by express agreement with McConnell Valdés LLC.