



News & Types: Client Advisories

But it Was Only an Apple!

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Practices: Immigration

Recently, our office received a call from a very disgruntled gentleman who complained that his Global Entry privileges were revoked because of an undeclared apple in his luggage. Global Entry is a U.S. Customs and Border Protection (CBP) program that allows expedited clearance for pre-approved, low-risk travelers upon arrival to the United States. As part of the entry process, travelers must complete a customs declaration. In this case, the gentleman had forgotten that he was carrying an apple and did not declare it on his customs declaration form. This oversight cost him a \$300 fine, and more importantly, a few days later, he received a notification that his Global Entry privileges had been revoked. Any violation of the Global Entry program's terms and conditions can result in a termination of membership privileges. In this case, the forbidden apple was deemed a customs and agriculture violation which resulted in the revocation.

From Ecuadorian avocados to Japanese packaged snacks to Indian curries, travelers will find themselves paying hefty fines if CBP finds undeclared and prohibited agricultural goods upon entry to the United States. So, what is a traveler to do when he finds delightful delicacies overseas? All travelers entering the United States must declare meats, fruits, vegetables, plants, seeds, soil, animals, as well as plant and animal products (including soup or soup products) they may be carrying. The declaration must cover all items carried in checked baggage, carry-on luggage, or in a vehicle. When in doubt, declare it. The worst possible scenario is having a CBP officer find a prohibited item because the traveler was not sure that it needed to be declared. Prohibited items that are not declared by travelers are confiscated and destroyed, and civil penalties may be assessed for failure to declare prohibited agricultural products. Penalties can range up to \$1,000 for a first offense, and if the items are determined to be for commercial use, the penalties will be higher.

So, the next time a CBP officer stops and asks if you have an apple or other food item in your possession, think long and hard before you respond because that apple could end up being a very expensive overseas purchase.