

## **Despacho Previo**

### **For Mexico Bound (Southbound) Traffic**

#### **History**

Prior to 1990 railcars were allowed to enter Mexico prior to the lading being documented with Mexican Customs. The only requirement to export a railcar from the U.S. was to have an SED, (Shipper's Export Declaration), on file with the U.S. rail carrier. After the rail car entered Mexico the Mexican customs broker would pay any taxes and import duties that were due, furnish documentation to Mexican Customs, and present a bill-of-lading to the Mexican rail carrier along with any prepaid freight charges due for the Mexican portion of the move.

The Despacho Previo process was implemented in the early 1990's due to two main factors; there was substantial congestion at the border gateways while cars were being documented. Also, Mexican Customs law was changed to require that all documentation must be presented and any taxes and duties must be paid prior to the rail car entering the country of Mexico. To alleviate congestion, the U.S. rail carriers implemented the "Despacho Previo" process.

#### **Basics of Despacho Previo**

The term "Despacho Previo" means "Pre-documented." The Mexican Customs Broker and the shipper's agent at the border must have completed all required documentation prior to the railcar being exported into Mexico. This requirement includes:

All required documents must be submitted to Mexican customs and other government agencies as required.

A bill-of-lading must be given to the Mexican railroad and any freight charges due must be paid.

The shipper's agent must have submitted the Shipper's Export Declaration information.

To prevent congestion on the U.S. side of the border, the U.S. railroads have each published a version of a 'Despacho Previo' tariff. The tariff provides for notification of the shipper's designated agent at the border and specifies the time period allowed to get the unit documented to export to Mexico. Any Document Delay Charge due must be paid prior to the railcar being released for export.

#### **Despacho Previo Rules**

## BNSF Rules book 6100 item 3140G - Document Delay Charges on Export Traffic to Mexico

Carload shipments moving from the United States to Mexico via any Texas-Mexico border crossing points are subject to the following provisions:

### **A. Calculation of Charges:**

Forty-eight (48) hours free time will be allowed for the completion of all documentation required for the legal exportation from the United States and for importation of a shipment into Mexico.

Free time will be computed from the first 12:01 a.m. after "Despacho Previo" (see note) notification. Sundays and holidays will be excluded in the computation of free time.

Note: Despacho Previo is a Mexican Customs' program to pre-document exports from the United States into Mexico prior to the interchange of cars to a Mexican railroad.

Following the expiration of free time, a Document Delay charge will be assessed until the car is released for entry into Mexico. The document delay charge will be \$75 per car, per day, or fraction thereof for the first three days. Thereafter, the document delay charge will be \$150 per car, per day. An additional \$500 charge will be assessed if at the time of the release of the shipment for export,

- the railcar is physically located within 50 miles of the station where the car will enter into Mexico, and,
- the free time has expired.

Sundays and holidays occurring subsequent to the expiration of free time will be chargeable days.

### **B. Notification and Release:**

"Despacho Previo" notification will be sent or given by BNSF to the consignee, or party designated by the shipper to receive same, after unit enters the BNSF computer system through customer shipping instructions or receipt of an interline waybill from connecting carriers.

Cars will be considered to be "released" for entry into Mexico when all of the following requirements have been met: All freight and accessorial charges due BNSF have been paid;

All requirements to legally export the shipment from the United States to Mexico have been met, and the required documents are furnished to BNSF;

All requirements to legally import the shipments into Mexico have been met and proof furnished to BNSF; and

Shipping instructions have been received by the Mexican rail carrier.

**C. Holidays:**

The following United States and Mexican holidays will be recognized as holidays in the computation of free time:

New Year's Day	January 1
Constitution Day	February 5
Birthday of Benito Juarez	March 21
Good Friday	Friday before Easter Sunday
Labor Day	May 1
Independence Day	September 16
Anniversary of Mexican Revolution	November 20
Christmas Day	December 25

For questions about Despacho Previo, please contact [BorderSupport@BNSF.com](mailto:BorderSupport@BNSF.com) or 888-700-3075 Option 3.

For general questions, information, and updates, contact Joel Rodriguez at [Joel.Rodriguez@BNSF.com](mailto:Joel.Rodriguez@BNSF.com) or 817-867-6175.