





Navigating the End of De Minimis

and Pivoting to Scale as a Resident & Non-Resident Importer

Background

Effective August 29, 2025, de minimis treatment for all countries was suspended under a Presidential Executive Order. This means every shipment, regardless of value, now requires a formal or informal entry (Type 01 or 11) for import into the United States.

- **View the Executive Order**
- **View the 2024 Biden-Harris De Minimis Reform Fact Sheet >**

The suspension followed years of scrutiny over under-valuation, illegal transshipments, and national-security concerns tied to misdeclared parcel imports. As a result, Section 321 and Type 86 entries have been retired, and all importers - U.S. or foreign - must now transition to formal clearance processes.

Stage 1 - Understanding the Market Shift

In the first month after the change, U.S. parcel volumes dropped sharply as many global sellers paused or canceled shipments. By late September 2025, volumes began to recover—driven by consolidated shipments into U.S. fulfillment centers rather than direct-to-consumer parcels.

Although parcel import rates initially fell, they have begun to rise again, now spread across fewer but larger shipments. Sellers are adapting by grouping multiple pre-sold orders or bulk inventory transfers under a single customs entry to minimize total landed cost.

Those who adapt quickly to the new clearance environment—by restructuring logistics, consolidating intelligently, and maintaining compliance—will be the ones to capture market share, gaining business from competitors who struggle to pivot or absorb the new costs.

At Clearit, our mission is to simplify customs brokerage by combining cutting-edge technology with a team of experienced professionals—delivering unmatched convenience and value for you and your customers. As a full-service customs broker, we specialize in importing all types of products across industries. Clearit was the first to digitize the customs clearance process, offering digital POAs, Bonds & agent support, flat-fee pricing, and seamless digital billing and payments.

Stage 2 - The Goal: Lowering Your Landed Cost



Whether you are a U.S.-based importer or a foreign seller acting as importer of record, the objective is the same:

Reduce per-unit landed costs through consolidation and proper valuation. Benefits of consolidation:

- Share brokerage, bond, and entry fees across many orders
- Shorten clearance time through one master invoice
- Simplify compliance management
- Reduce logistics overhead
- 🥊 Ideal for: eCommerce brands, SMBs, distributors, and 3PL-driven sellers.

Stage 3 - Determine Your Importer Type

A. Resident Importers (U.S.-based)

- Already possess an EIN and can import under their own name.
- May consolidate supplier shipments or foreign warehouse stock.
- Must ensure each customs entry lists correct valuation, HTS, and origin, and provide Partner Government Agency data.

B. Non-Resident Importers (Foreign sellers)

- Can legally act as Importer of Record without a U.S. entity by registering as a Non-Resident Importer (NRI).
- A U.S.-licensed customs broker can set this up, typically within 48 hours once verified and a Customs-assigned EIN is issued.
- Requires:
 - Proof of business registration & good standing
 - Signed Power of Attorney
 - Supporting ID and ownership documents

Learn More > Non-Resident Importing into the USA

Stage 4 - Build a Consolidation Strategy



Once your importer account (Resident or NRI) and Customs Bond are active, begin shifting to consolidated entries.

Pre-Sold or Pre-Labeled Orders

- Combine orders under one Consolidated Commercial Invoice
- Group by HTS Code and Country of Origin
- Declare transaction value (price paid by the end-user)

Front-Loaded Inventory (for Fulfillment/Distribution)

- Use an approved U.S. Customs Invoice template
- Declare export or wholesale value (factory or transfer price)
- Include:
 - Detailed description & material composition
 - Valid 10-digit U.S. HTS Code
 - Country of Origin
 - Importer of Record (Resident or NRI) as consignee

Stage 5 - Choose the Right Valuation Method

Method	Used When	Declared Value basis
Transaction Value	Pre-sold	Final sale price to buyer
Transfer/Wholesale	Stock transfer/fulfillment	Original wholesale or transfer
		price
First Sale	Multi-tier supply chain	Price from first sale (factory
		→ distributor)

Read more about determining Customs Valuation for your shipment

CBP - Customs Value determination>

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⚠ Because the First Sale Rule requires detailed evidence (contracts, invoices, payments, bills of lading), it should be used only with expert broker or legal guidance.

OBP - First Sale Declaration Requirements >

Stage 6 - Complete the Compliance Checklist

Before dispatching any consolidated shipment, ensure the following:

- 1. Customs Brokerage Account active (POA + EIN verified)
- 2. Customs Bond in place (Continuous or Single-Entry)
- 3. Compliant Commercial Invoice grouped by HTS Code and Origin
- 4. PGA requirements verified (FDA, EPA, CPSC, etc. as applicable)
- 5. Destination Tax ID listed for fulfillment or warehouse address

Stage 7 - Create a Proper Customs Invoice

Your Customs Invoice drives clearance—errors here cause most delays.

Ensure it includes:

- Valid 10-digit U.S. HTS Code
- Detailed product description and materials
- Country of Origin
- Declared value
- Seller / Vendor (foreign exporter)
- Buyer / Importer (Resident or NRI with U.S. address)
- Consignee / ship-to address

Pro Tip: Ship weekly or bi-weekly. Grouping by HTS Code reduces "lines of entry," lowering brokerage fees.

Stage 8 - Prepare for Audits & Enforcement



Since August 2025, the DOJ and DHS have launched a Cross-Agency Trade Fraud Task Force to ensure accurate declared values. Importers must keep records proving that their declared value equals the true sale price.

Maintain:

- Factory and reseller invoices
- Payment proof and contracts
- Communication confirming U.S. export intent
- First Sale documentation (if used)

DOJ & DHS Trade Fraud Task Force Announcement >

Stage 9 - Account for Partner Government Agencies (PGAs)

Certain commodities require additional documentation for proper declaration at time of clearance. Be sure to consult a trade professional on additional requirements prior to importation.

Agency	Typical Products	
FDA	Food, cosmetics, supplements	
EPA	Chemicals, environnental goods	
CPSC	Consumer electronics, household goods	
Lacey Act	Solid & enginered wood products, plant-bant-based textiles, paper & packaging	

Your customs broker ensures PGA filings accompany your entry.

CBP - Partner Government Agency Import Guides >

Bonus – Strategies to Save Even More



- Re-negotiate: There is no better time than now to renegotiate with your suppliers. Lower initial pricing means lower duties.
- Improve forecasting and use cheaper forms of transportation (like ocean over air) whenever possible.
- Leverage drawbacks: When goods are re-exported, you are eligible to recover duties paid through drawbacks. Billions go unclaimed every year.
- Invest in proper classification: Misclassification can lead to unnecessary duties paid and misdeclarations.
- Leverage bonded warehouses and FTZ zones to defer duties payable upon import.

In Summary

By transitioning strategically from de minimis to formal entry, importers can:

- ✓ Stay compliant with formal CBP requirements
- Reduce overall landed costs through consolidation
- Apply legitimate valuation methods to lower duties
- Preserve supply-chain continuity into the U.S. market