



PUBLIC NOTICE

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New Rules Regarding the Importation of Radio Frequency Devices Go into Effect February 28, 2000

The Commission's rules regarding the importation of radio frequency devices were amended, effective on February 28, 2000. The rule changes will assist the Commission in preventing the entry of radio frequency devices that are capable of causing harmful interference to electronic devices.

The Commission's rule changes also eliminate a filing requirement when importers use the FCC Form 740. When importing certain radio frequency (RF) devices, importers must use the FCC Form 740 to declare to United States Customs officials that the device complies with FCC regulations. The importer may also make the declaration by using an electronic interface established by the U.S. Customs Service. In the event that the importer is unable to use the electronic interface an FCC Form 740 must be filed with U.S. Customs upon the device's entry. Previously, importers filed copies of the FCC Form 740 with both the FCC and the U.S. Customs Service.

The rule amendments will assist the Commission in preventing the sale of illegal radio frequency devices through abuse of the "import-for-export" provision of the Commission's rules. The "import for export" rule allows non-authorized items to enter the U.S. provided they are exported prior to sale or marketing. Of particular interest for manufacturers and international travelers is the exemption that the Commission made for cellular phones and similar telephone devices that operate on standards not used in the U.S. and, as a result, are unable to function in the U.S. These types of devices present no interference risk and may continue to be imported and marketed. By clarifying when an imported RF device may be marketed, the new rules assist importers, U.S. Customs Service officials and FCC officials to determine when importation of an unauthorized radio frequency device is illegal.

Additional information regarding these rule amendments may be obtained by contacting David Sturdivant 202-418-1160.

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