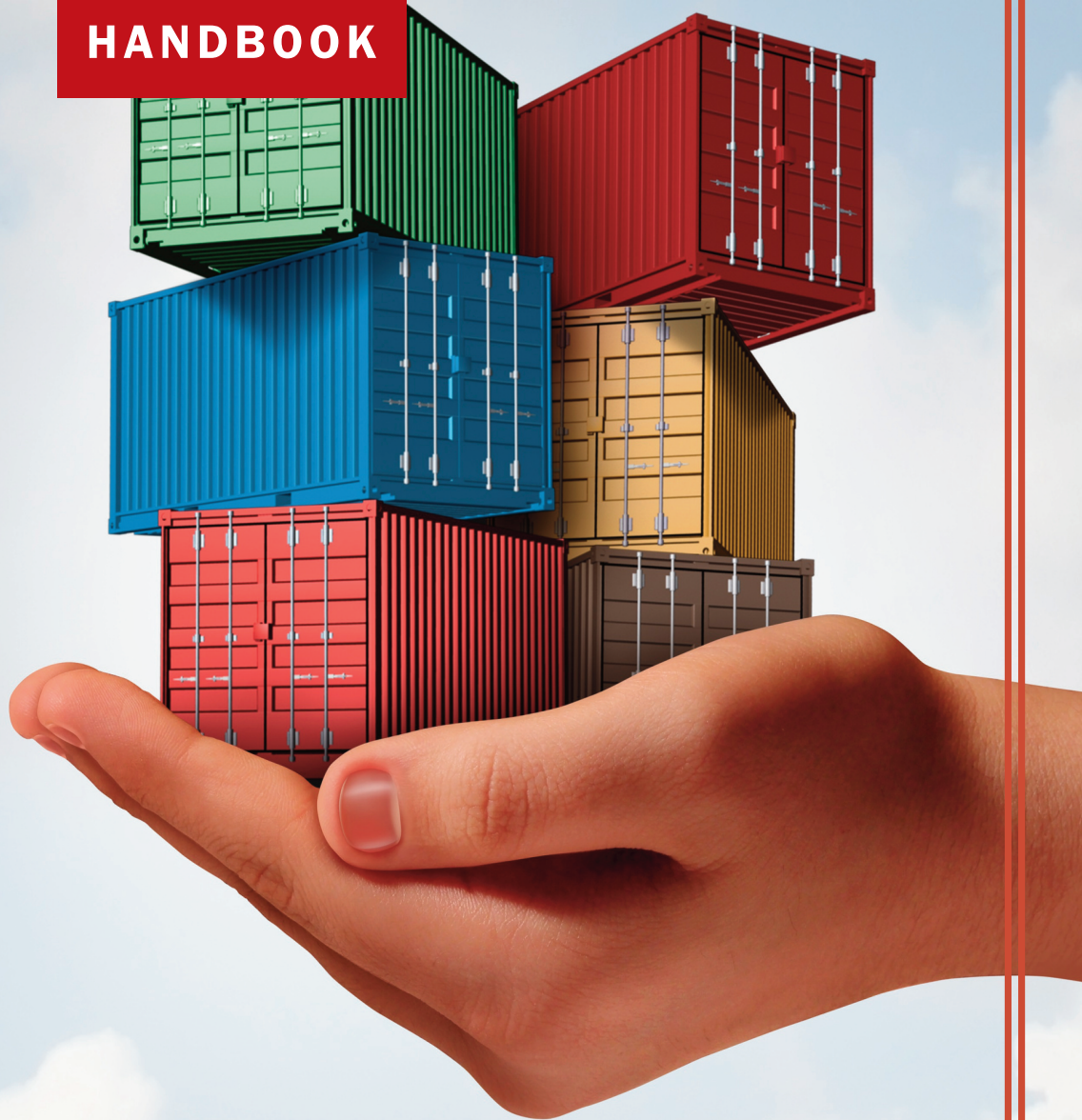


# THE EXPORT COMPLIANCE MANAGER'S HANDBOOK



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# Compliance for exporters and freight-forwarders: a shared approach

**By Jamie Joiner**

In the United States, every party to an export transaction is responsible for complying with the US Export Administration Regulations ('EAR'). The source of this requirement is found in part 758.3 of the EAR, which provides that '[a]ll parties that participate in transactions subject to the EAR must comply with the EAR'. This means that both US exporters and US freight-forwarders handling exports out of the US bear liability, or risk of penalty exposure, if a given export transaction turns out to involve an unlicensed shipment or other EAR violation.

Exporters and freight-forwarders should view one another as partners in compliance and should approach export compliance as a shared responsibility.

While this chapter focuses on exports from the United States and the relationship between US exporters and US freight-forwarders, these principles are also useful to global export transactions.

## Compliance responsibilities of US freight-forwarders

Freight-forwarders are individuals or companies that organise shipments, including coordinating the logistics, to transport goods from one party and location to another. According to guidance for freight-forwarders provided by the US Department of Commerce's Bureau of Industry and Security ('BIS') on its website, '[f]orwarding agents have compliance responsibilities' under the EAR

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