

Please Stand Back While We Smash Your Hood

If you're thinking of bringing a Ferrari into the US, I have some simple advice that might save you months of aggravation and thousands of dollars. Simply put, under no circumstances should you bring your car in through Los Angeles or Miami.

Chicago, San Francisco, Seattle and even, strangely enough, New York have proven to be "import friendly." But dealing with Customs in LA or Miami is a completely different situation. I speak from experience.

Some background: When forced to bring a car from overseas in through LA, I generally use Martin Button at Cosdel International to do the forwarding. To physically clear Customs, a car is brought to Price Transfer, a secure facility the size of four football fields. Ferraris, containers of tires and piles of foodstuffs from Pakistan all sit in the same warehouses, waiting to be cleared.

In fact, Price is so large that it has a US Customs office inside of its warehouse.

I have learned the hard way that Customs agents are generally rotated every 90 to 120 days, each time going to an area that is often completely new to them. Further, since the Homeland Security program was instituted, the experienced Customs agents have generally been promoted, and those assigned to low-priority jobs like clearing cars tend to be new to the job. And as you might expect from people new to the world of bureaucracy, their knee-jerk reaction to anything in the least bit unusual is to "just say no."

I recently imported 500 TRC S/N 0708 MDTR from Japan, with the car ultimately bound for a Canadian client. The Ferrari arrived at Long Beach harbor and was taken to Price Transfer for de-containerization and Customs clearance on Dec. 19, 2002. It was due to clear customs immediately—it was being imported under a T.I.B. (Temporary Importation Bond) to have minor service and restoration work done in the USA—and then go on to its new owner in Canada.

I provided paperwork to Cosdel, which sent it to Price, which furnished it to Customs. A few days later, Customs gave Price, which forwarded to Cosdel, which sent to me, a rejection of the importation.

The reason? We had not provided proof that the 1957 TRC was exempt from EPA and DOT regulations. Customs wanted to know why there was not an EPA or DOT exemption plate attached to the car. As nicely as I could, I replied (through Cosdel to Price to Customs), that it seemed unreasonable for Ferrari, in 1957, to have guessed that 11 years later, in 1968, the US would implement DOT and EPA regulations, and to have "forward-fitted" an exemption plate.

More trees were sacrificed and more paper shuffled. I learned after repeated attempts that you will never, ever actually get to speak to the Customs agent who is working on your case. You always get pushed deeper into the governmental maze.

Finally, a month later, on Jan 19, 2002, the 500 TRC was cleared through Customs. As the car had originally been scheduled to appear at the Cavallino Classic—which started on January 21 in West Palm Beach, Florida—and unveiled there as a surprise to the owner's wife, the owner was not a very happy camper. Of course, neither explanation nor apology for the delay and inconvenience was provided by Customs.

While this was going on, I imported 1962 250 SWB S/N 3409 (with engine #3441, from a 1962 250 GTE) from Japan, also through Long

Beach Customs. It arrived at Price Transfer on January 7 for de-containerization and Customs clearance. Since this time the Customs officials had been briefed on the non-applicability of the EPA and DOT regulations, bringing in 250 SWB S/N 3409 should have been a walk-through.

But Customs decided that since S/N 3409 was fitted with a different engine than it was born with, they wanted proof that this "different engine" didn't need to be EPA and DOT approved.



Strangely enough, '57 TRC won't meet 1968 EPA regulations.

More trees died in our effort to prove that engines built prior to the not-yet-thought-of DOT and EPA regulations were indeed exempt from those not-yet-thought-of regulations. Finally, Customs decided that an engine built in 1962 was exempt from the 1968 and later regulations, and that S/N 3409 would be released.

Wait, not so fast. At the last minute, the ever-vigilant folks at Customs decided they should inspect this newer engine, just

to make sure it was okay and eligible for importation.

Getting to the engine required opening the hood. It would have been easy to ask any of the staff at Price Transfer to open the hood for inspection, but they had all been banished from the room so that they wouldn't "interfere" with the process. Using the standard "we-can-beat-it-into-submission" approach, the agents literally pried one side of the hood open, destroying the hood hinges and buckling the hood.

But even with the hinges destroyed, the hood still refused to open. So the agents used a large piece of wood, inserted through the opening of the now partially pried-open hood, to beat the hood latch into oblivion, releasing the hood. After careful inspection of whatever it was they



SWB hood opened without using implement of destruction.

wanted to inspect, the car was released by US customs and dutifully picked up. Total time in custody: 60 days. Once again, there was neither an explanation nor an apology given for the time delay, the extra storage charges or the obvious damage to the hood of the 250 SWB.

In the official Customs evaluation of the incident, when answering the question of, "How do we prevent this incident from happening again," the agent responsible wrote, "Learn how to open hoods of cars we are examining."

Unless we want to hire an attorney and sue Customs, we have no recourse for the damages. I spoke with some of the folks

at the Customs office about reporting the damage to the director of the office there, and their advice to me was to just keep quiet—unless I wanted to be guaranteed that every car I brought into Long Beach for the next 20 years would take slightly longer than forever to clear Customs.

During this period, I also imported 1955 Ferrari 857 Monza S/N 0578 in February of 2003. Coming in through Chicago, it cleared Customs in just two days.

I understand that the job of a Customs inspector is a tedious and sometimes critically important one. But every time three or four agents spend time making sure that 1962 production engines don't really have to meet 1967 EPA standards, they are taking time away from things that might actually help improve our homeland security. I'm all in favor of doing everything necessary to help keep our country safe. I just can't help but wonder how destroying the hood on an SWB makes things any better for any of us. And a little politeness, courtesy and explanation of various delays from Customs might make us feel much better about the whole process. ♦