

Who is the Federal Communications Commission?

The FCC regulates marketing, sale and importation of radio frequency devices.

What is a Radio Frequency (RF) device?

A radio frequency device is any device capable of emitting radio frequency energy by radiation, conduction or other means. This includes radio transmitters, any electrical device that uses internal electrical signals and/or electrical pulses that may create radio frequency energy.

What is required when importing an RF device?

When importing an RF device, the importer of record must declare the appropriate entry conditions on the FCC Form 740, either electronically or by attaching a Form 740 to the Customs entry papers.

To assist Customs and Border Protection in identifying when a declaration is necessary, a Schedule of FCC 740 requirements by Harmonized tariff Schedule (HTS) indicates (1) when an FCC Declaration may be needed (vindicated electronically as FC3) or (2) when a declaration is required (indicated electronically as FC4).

When importing goods flagged with the FC3 code, the following guidelines apply:

1. The importer may disclaim the Declaration and not submit the Form 740 if the goods are not RF devices
2. The importer may disclaim the Declaration and not submit the Form 740 if the goods are RF devices, but meet the following specific exclusion conditions:
 - a. An RF device that is exempt from the equipment authorization procedure (Section 15.103)
 - b. An RF device that does not meet the definition of a device requirement equipment authorization , or is considered an incidental radiator device and does not require equipment authorization(Section 15.101)
 - c. An RF device that is excluded from the import conditions (Section 2.1202) See below.

Radio Frequency devices may be imported only if one or more of the following conditions are met:

1. The radio frequency device has been issued an equipment authorization by the FCC
2. The RF device is not required to have an equipment authorization and the device complies with the FCC technical administrative regulations.*

*In the case of a device that is not required to have a grant of equipment authorization issued by the Commission, but which must comply with the specified technical standards prior to use, such device also complies with all applicable administrative (including verification of the equipment or authorization under a [Declaration of Conformity](#), where required), technical, labeling and identification requirements.

3. The RF device is being imported in limited quantities for testing and evaluation to determine compliance with the FCC rules and regulations or suitability for marketing. The devices will not be offered for sale or marketed.
4. The RF device is being imported in limited quantities for demonstration at industry trade shows and the device will not be offered for sale or marketed.
5. The RF device is being imported solely for export. The device will not be marketed or offered for sale in the U.S.
6. The RF device is being imported for use exclusively by the U.S. Government
7. Three or fewer radio receivers, computers, or other unintentional radiators are being imported for the individual's personal use and are not intended for sale.
8. The RF device is being imported for repair and will not be offered for sale or marketed.
9. The RF device is a medical implant transmitter inserted in a person granted entry into the U.S.

Exclusions from the Import Conditions

1. Cameras, musical greeting cards, quartz watches and clocks, modules of quartz watches and clocks, hand-held calculators and electronic games, and other similar unintentional radiators which utilize low level battery power and which do not contain provisions for operation while connected to AC power lines
2. Unintentional radiators which are exempted from technical standards and other requirements as specified in section 15.103 of CFR 47.
3. Radio frequency devices manufactured and assembled in the U.S.A. that meet applicable FCC technical standards and which have not been modified or received further assembly.
4. Radio frequency devices previously properly imported that have been exported for repair and re-imported for use
5. Subassemblies, parts, or components of radio frequency devices unless they constitute an essential completed device which requires only the additional of cabinets, knobs, speakers or similar minor attachments before marketing or use.

General Entry Requirements for entry into the U.S.A.

1. No radio frequency device may be imported into the Customs territory of the United States unless the importer declares that the device meets one of the conditions for entry as mentioned above. A separate declaration shall be used for each line item in the entry containing a radio frequency device.
2. Failure to properly declare the importation category for an entree of RF devices may result in refused entry, refused withdrawal for consumption, required redelivery to the customs port and other administrative, civil and criminal remedies provided by law
3. Whomever makes a declaration must provide, upon requires made within one year of the date of entry, documentation on how an imported radio frequency device was determined to be in compliance with the Commission requirements.

Declaration of Conformity

A declaration of Conformity is a procedure where the responsible party makes measurements or takes other necessary steps to ensure that the equipment complies with the appropriate technical standards. Submittal of a samplly unit to the FCC demonstrating compliance is not required unless specifically requested.

Certification

Certification is an equipment authorization issued by the FCC, based on rep[resentations and test data submitted by the applicatn