

## 10 Things You Didn't Know You Could Import From Cuba

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One aspect of the dramatic shift in U.S. policy toward Cuba that has not been widely reported is a relaxation of the old rule prohibiting imports of most Cuban goods and services. Under the new rules, if your Cuban supplier is one of a small but vibrant class of entrepreneurs on the island, there is now a long wish list of goods and services you may import from Cuba.

As we reported [here](#), after President Barack Obama's December 17, 2014 announcement of changes to the U.S. Cuba embargo, the U.S. Department of Commerce's **Bureau of Industry and Security (BIS)** and the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) amended their regulations on January 16, 2015. As part of the amendments, OFAC's regulations introduced a new provision authorizing the importation of certain goods and services produced by independent Cuban entrepreneurs. This provision is set forth in OFAC's **Cuban Assets Control Regulations (CACR)** at 31 C.F.R. § 515.582.

The goods and services authorized for importation pursuant to § 515.582 are listed on the State Department's Section 515.582 List, which can be found [here](#). The list is actually a negative list: it tells you which chapters of the Harmonized Tariff System of the United States ([HTSUS](#)) are off limits. So, for example, importing Cuban livestock is not an option, since the prohibited list includes HTSUS Chapter 1, "Live Animals."

So from among the imports actually permitted, we highlight the following for your enlightenment, amusement, fun, and profit:

1. *Jewels*. The 515.582 List permits imports of items in HTSUS Chapter 71: Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal and articles thereof; imitation jewelry; coin.
2. *Spoons*. The list permits items in Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal.
3. *Door knockers*. Items in Chapter 83, Miscellaneous articles of base metal, are permitted. Among enumerated items in that chapter are door knockers and other base metal fittings.
4. *Perfume*. The list permits items in Chapter 33, Essential Oils and resinoids; perfumery, cosmetic or toilet preparations.
5. *Soap*. Items in Chapter 34, which includes soap and candles, are permitted.
6. *Imitation gemstones*. All items in Chapter 39, Plastics and articles thereof, are permitted. This enormous category includes plastic imitation gemstones.
7. *Handbags*. All articles of Chapter 42 are permitted, which covers Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silkworm gut).
8. *Wood pulp, paper, paperboard, and books*. The list permits the import of all items in Chapters 47 (Pulp of wood or of other fibrous cellulosic material; waste and scrap of paper or paperboard); 48 (Paper and



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paperboard; articles of paper pulp, of paper or of paperboard); and 49 (Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans.

9. *Tools*. Chapter 82, which is the same chapter that lists spoons and cutlery, also contains hand tools. So if the only thing holding you back from restoring that sweet '57 Chevy in your garage is the lack of a Cuban wrench, you're in luck. Of course, tools are very likely in short supply in Cuba, and there are probably more '57 Chevrolets in Havana than in your garage. But you're also in luck if you can find a Cuban entrepreneur who needs your wrench: as we reported [here](#), tools are also among the lists of goods that may be exported from the United States to Cuba.
10. *Any lawful services*. The biggest sleeper on this list may be the end of the ban on the "import" of services from Cuba. The import and export of services is strange concept in itself, but is common to many U.S. embargoes. The basic idea is that when a service is performed in Cuba, but where the benefit of the service is received in the United States, the service is imported into the United States. With very few exceptions, all such services were banned under the embargo. Now, any service that does not otherwise violate U.S. law may be imported into the United States. Equally importantly, payment may be made into Cuba for those services. With a very well educated workforce, lots of high-value services may be available in Cuba. For example, Cuba prides itself on the quality of its workforce in medicine, computer programming, and [biomedical research](#).

What is an "entrepreneur"? On an island dominated by a single party socialist system for decades, you might think entrepreneurs would be hard to come by. But the Castro regime in the mid-1970s began granting licenses for Cuban people to start their own small businesses, trading on their "own account." According to one [report](#), nearly half a million so-called "cuenta propia" licenses have been granted to Cuban individuals, permitting them to work on their own outside the state-run system. In addition, according to the report, of the Cuban workforce of about 5.1 million, there are some 575,000 farmers who own or lease their private plots. The U.S. State Department has said that, in order to take advantage of the new import permission, the importer "must obtain documentary evidence that demonstrates the entrepreneur's independent status, such as a copy of a license to be self-employed issued by the Cuban government or, in the case of an entity, evidence that demonstrates that the entrepreneur is a private entity that is not owned or controlled in whole or in part by the Cuban government."

Will Cuba let its entrepreneurs export? It is not clear what the official position of the Cuban government will be. Exports are heavily regulated. But of the million or so tourists reported to have visited Cuba since the beginning of the year, many have bought goods from Cuba, and many of those have brought them into the United States upon their return. We have identified no reports of Cuban officials interfering with such exports. And by the way, so long as the imports do not violate the U.S. customs exemptions for personal imports, the U.S. government won't interfere either. The State Department's [fact sheet](#) on Section 515.582 expressly provides that "standard personal duty exemptions apply when goods are accompanied by the traveler and are for personal use."

What items are actually available? Of course, there is no strong indication that some of the permitted goods in the 515.582 List are actually available in Cuba. But that is why the import of certain services may be the most attractive of all the items on the new list. These developments bear close watching.

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