



**Federal Deposit Insurance Corporation**  
550 17th Street NW, Washington, D.C. 20429-9990

**Financial Institution Letter**  
**FIL-15-2005**  
**March 2, 2005**

## **OFFICE OF FOREIGN ASSETS CONTROL**

### **Cuban Assets Control Regulations**

**Summary:** The Department of the Treasury's Office of Foreign Assets Control has amended the Cuban Assets Control Regulations regarding authorized sales of agricultural exports to Cuba.

**Distribution:**

FDIC-Supervised Banks (Commercial and Savings)

**Suggested Routing:**

Chief Executive Officer  
BSA Compliance Officer

**Related Topics:**

Office of Foreign Assets Control

**Attachment:**

Final Rule for Payment of Cash in Advance

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**Note:**

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To receive FILs electronically, please visit <http://www.fdic.gov/about/subscriptions/fil.html>.

Paper copies of FDIC financial institution letters may be obtained through the FDIC's Public Information Center, 801 17th Street, NW, Room 100, Washington, DC 20434 (1-877-275-3342 or 202-416-6940).

**Highlights:**

- On February 22, 2005, the Department of the Treasury's Office of Foreign Assets Control (OFAC) amended the Cuban Assets Control Regulations regarding authorized sales of agricultural exports to Cuba.
- OFAC has amended the Cuban Assets Control Regulations to clarify that, in connection with authorized sales of agricultural exports to Cuba, the term "payment of cash in advance" means that payment is received by the seller or the seller's agent prior to shipment of the goods from the U.S. port at which they are loaded. This conforms to the common understanding of the term in international trade finance.
- In addition, OFAC is providing a general license authorizing the processing of payments received for Department of Commerce-approved agricultural exports to Cuba that are shipped prior to receipt of payment for a limited time. The general license only applies when the goods are shipped from the port at which they are loaded on or before **March 24, 2005**, and also requires that payment must be received by a U.S. banking institution on or before **March 24, 2005**, and prior to transfer of title to, and control of, the goods to the Cuban purchaser.
- OFAC has asked that we distribute the information to all FDIC-supervised institutions to ensure that they are familiar with the new guidelines.
- OFAC information also may be found on the Internet at <http://www.treas.gov/offices/eotffc/ofac>.
- Please distribute this information to the appropriate personnel in your institution.
- For further information about Executive Orders, the list of blocked accounts or the procedures to block accounts, please call OFAC's Compliance Programs Division at 1-800-540-6322.

