

OFAC clarifies Cuba sanctions

Members are referred to our article [Cuba: Sanctions overview](#). This article highlighted the issuance of a general license by the United States of America (U.S.) Treasury Department Office of Foreign Assets Control (OFAC) to ease the so called '180 day rule'.

The 180 day rule is a reference to the prohibition on U.S. and non U.S. vessels from calling in the U.S. to load or unload cargo for 180 days after calling in Cuba. The new general license, issued by the OFAC in October 2016, waives the restriction prohibiting foreign (non U.S.) vessels from entering a U.S. port for purposes of loading or unloading freight for 180 days after calling in a Cuban port for trade purposes. This waiver is subject to the proviso that the items the vessel carried to Cuba would, if subject to the EAR, be designated as EAR99 (i.e. items that are not controlled for export) or controlled on the Commerce Control List for anti-terrorism reasons only.

On 6 January 2017, the OFAC revised its Frequently Asked Questions (FAQs) adding five new FAQs (numbers 86-90). These provide further clarity on matters concerning the 180 day rule and related issues. [The revised FAQs are available to download from the OFAC website](#).