

# Toxin Technology, Inc.

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Dear New International Customer,

We are required by U. S. law to obtain Export Licenses for all new International Customers who may wish to purchase any Staphylococcal Enterotoxins or Shigatoxins. We have to ask you to fill out some paperwork and return it to us before we can file the application for the export license. The applications then take approximately 6 to 8 weeks to be processed. We file the applications with the U.S. Dept. of Commerce (DoC). The DoC in turn electronically disseminates the applications to the following U.S. agencies for their approval or rejection: the Departments of Defense, State and Energy as well as the FBI and CIA. These agencies then have 30 days to take action on the application. If they are not acted on before 30 days pass then the license is automatically approved and the process moves back to the DoC for final action. So you can see where in a Bureaucracy such as this it will take 6 to 8 weeks in order to obtain the Export License. We have enquired about speeding the process up, but there is nothing that will do so. The licenses are good for 2 years, so if we obtain a license to send you our toxins, we may do so repeatedly for the 2year period provided that we do not exceed the amount of toxin that we originally stipulated for your use in the license application. When you do request our products we would appreciate it if you would try to anticipate which toxins and what quantities that you **may** want to purchase over the next 2 years and tell us so that we can put the information on our initial license application. The DoC is toxin type specific, so you must tell us which toxins that you use or **may want to use**, e.g. SEA, TSST-1, STX-1, etc. Once a license is issued, who, what and the quantities on the license cannot be changed. For instance, if you had listed 5mg of SEB, you can purchase 1mg of SEB five times over a 2 year period, a 6<sup>th</sup> mg will require a new license. In addition, if you decided that you wanted to try SEA or TSST-1 at a later date and do not have either on the list, we would have to get a new license or an amendment which take just as long as getting a new license.

In order to make the application, we must have 2 forms filled out and returned to us. The DoC form **BIS-711 (AKA BXA-711)** and a template **Letter of Assurance (LoA)** to you when you want to place your initial order are available on this website. The LoA should be transferred to your letterhead and may be modified to reflect your use of the toxin, e.g. research or manufacturing. The BXA-711 form has 8 blocks to be filled in and they in themselves are somewhat confusing. The instructions for filling out this form are just as confusing, so I am paraphrasing them for you.

Block 1: **Ultimate Consignee.** The Ultimate Consignee must be the person abroad who is actually to receive the material for the disposition stated in Block 2.

Block 2: **Disposition or Use of Items by Ultimate Consignee named in Block 1.** Place an (X) in A, B, C, D and/or E as appropriate, and fill in the required information. i.e. If you are a distributor, you may want to check both C & D. If you are using our products as research tools, you may want to check E and enter something like, “Will be used by us in the form received **for research purposes only.**”

Block 3. **Nature of Business of Ultimate Consignee named in Block 1.** Complete both A & B. For B, I suggest, “Commercial Supplier”.

Block 4. **Additional Information.** Enter any other appropriate information such as a brief description of your actual end use.

Block 5. **Assistance in Preparing Statement.** This is to be filled in only if you had some outside help such as a lawyer fill this out.

Block 6. **Signature of Official of the Ultimate Consignee.** Enter the requested information and sign the statement in ink. The definition of the “Ultimate Consignee” is; “The principal party in interest located abroad who receives the exported or re-exported items. The ultimate consignee may be a forwarding agent or other Intermediary and may also be the **end-user.**”

Block 7. **Purchaser.** This form must be signed in ink by the Purchaser, **if the purchaser is not the same as the Ultimate Consignee identified in Block 1.** The definition of the Purchaser is; “The person abroad who has entered into the transaction to purchase an item for delivery to the Ultimate Consignee. The Purchaser and Ultimate Consignee may be the same entity.”

Block 8. **Name of Exporter.** Leave this block blank, it is for Tox Tech to fill in and sign off on.

## **Letter of Assurance (LoA)**

The **LoA** must be filled in and signed by the **End-User**. The End-User is the person who is actually using the toxin or is the immediate person who is supervising the use of the toxin, e.g. a Principle Investigator who has Post Docs or Graduate students.

We strongly suggest that the End-User should provide us with his/her **CV**, an abbreviated version which does not include all publications is fine. The CV is not absolutely necessary, but on occasion the US DoC has requested them. If we have it on file, it facilitates getting your licenses.

If the Ultimate Consignee is an importer for the purpose of resale or transfers the toxin to a third party (the End-User) he should send the LoA to the End-User to fill out and sign.

We hope this helps to expedite your orders.

We are also sorry to have to add that we will have a minimum order of \$250.00 for all International Orders. The costs of the paperwork that it now necessary to process International Orders now exceeds our profit on any order less than \$250.00.

If you have further questions, please feel free to ask me.

Yours truly,

Raoul F. Reiser, PhD.  
President, Toxin Technology, Inc.