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536. Repealed.

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§ 121. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title I, § 1, 42 Stat. 858, related to articles dutiable, rates and schedules. Corresponding provisions of Tariff Act of 1930, see section 1202 of this title.

SUBTITLE II—FREE LIST

§ 122. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title II, § 201, 42 Stat. 922, related to the free list. Corresponding provisions of Tariff Act of 1930, see section 1202 of this title.

SUBTITLE III—SPECIAL PROVISIONS

CUBA AND CANAL ZONE

§ 123. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title III, § 301, 42 Stat. 934, related to duties upon articles coming from or imported into Philippine Islands. Corresponding provisions of Tariff Act of 1930 were covered by section 1301 of this title [repealed]. See section 1202 of this title, chapter 15 of Title 22, Foreign Relations and Inter-course, sections 5001, 5007 of Title 26, Internal Revenue Code, and section 734 of Title 48, Territories and Insular Possessions.

§ 123a. Transferred

CODIFICATION

Provisions of this section, act Mar. 8, 1902, ch. 140, § 4, 32 Stat. 54, were transferred to section 3343(b) of Title 26, Internal Revenue Code of 1939, and were repealed by act Apr. 30, 1946, ch. 244, title V, § 506(b), 60 Stat. 157, eff. July 4, 1946.

§§ 124, 125. Omitted

CODIFICATION

Sections 124 and 125, sections 1 and 2 of act Dec. 17, 1903, ch. 1, 33 Stat. 3, relating to the admission of goods

from Cuba at a reduced rate, and with no additional charges, so long as the Convention between the United States and Cuba, signed on the 11th day of December, 1902, shall remain in force, were omitted in view of the termination of such convention on August 21, 1963, pursuant to notice given by the United States on Aug. 21, 1962 (see Bevans, Treaties and Other International Agreements of the United States of America, 1776-1949, vol. VI, page 1106), and in view of section 401 of Pub. L. 87-456, title IV, May 24, 1962, 76 Stat. 78, set out as a note under section 1351 of this title, which designated Cuba as a nation dominated or controlled by the foreign government or foreign organization controlling the world communist movement.

§ 126. Imports from Canal Zone

All laws affecting imports of articles, goods, wares, and merchandise and entry of persons into the United States from foreign countries shall apply to articles, goods, wares, and merchandise and persons coming from the Canal Zone, Isthmus of Panama, and seeking entry into any State or Territory of the United States or the District of Columbia.

(Mar. 2, 1905, ch. 1311, 33 Stat. 843.)

REFERENCES IN TEXT

For definition of Canal Zone, referred to in text, see section 3602(b) of Title 22, Foreign Relations and Inter-course.

COUNTERVAILING AND DISCRIMINATING DUTY

§ 127. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title III, §303, 42 Stat. 935, related to countervailing duty upon articles on which export bounty had been paid. Corresponding provisions of Tariff Act of 1930, see section 1303 of this title.

§ 128. Repealed. Pub. L. 109-304, § 19, Oct. 6, 2006, 120 Stat. 1710

Section, acts Oct. 3, 1913, ch. 16, §IV, J, subsec. 1, 38 Stat. 195; Mar. 4, 1915, ch. 171, §1, 38 Stat. 1193; June 17, 1930, ch. 497, title IV, § 651(d), 46 Stat. 763; Pub. L. 103-182, title VI, §689(a)(1), Dec. 8, 1993, 107 Stat. 2222, which related to discriminating duty on goods imported in foreign vessels or from foreign countries and was also classified in part to section 146 of the former Appendix to Title 46, Shipping, was restated in section 60502(a) of Title 46, Shipping, by Pub. L. 109-304, §9(b), Oct. 6, 2006, 120 Stat. 1674.

§ 129. Discriminating duties

No part of the additional or discriminating duty imposed by law on merchandise on account of its importation in foreign vessels shall be allowed to be drawback, but the whole shall be retained.

(R.S. § 3027.)

CODIFICATION

R.S. § 3027 derived from acts May 13, 1800, ch. 64, §2, 2 Stat. 83; Aug. 30, 1842, ch. 270, §15, 5 Stat. 563.

COUNTRY OF ORIGIN

§§ 130, 131. Repealed. Pub. L. 109-304, § 19, Oct. 6, 2006, 120 Stat. 1710

Section 130, acts Oct. 3, 1913, ch. 16, §IV, J, subsec. 2, 38 Stat. 196; June 17, 1930, ch. 497, title IV, § 651(d), 46

Stat. 763, related to importation only in vessels of United States or of country of origin.

Section 131, acts Oct. 3, 1913, ch. 16, §IV, J, subsec. 3, 38 Stat. 196; Mar. 4, 1915, ch. 171, §1, 38 Stat. 1193; June 17, 1930, ch. 497, title IV, § 651(d), 46 Stat. 763; Pub. L. 103-182, title VI, §689(a)(2), Dec. 8, 1993, 107 Stat. 2222, related to vessels and goods of nations not maintaining similar regulations and vessels of U.S. citizens.

§§ 132, 133. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762

Sections, act Sept. 21, 1922, ch. 356, title III, §304(a), (b), 42 Stat. 936, related to marking imported articles and packages to indicate country of origin and penalty for violation of same.

Corresponding provisions of Tariff Act of 1930, see section 1304 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective sixty days after enactment of repealing act.

MEDICINAL PREPARATIONS

§ 134. Repealed. Aug. 8, 1953, ch. 397, § 4(b), 67 Stat. 509

Section, R.S. §2934, required that imported medicinal preparations be marked with the name of the true manufacturer and the place where they were prepared, and provided for forfeiture in the absence of such names. Present provisions relating to the regulation and control of drugs are contained in section 351 et seq., of Title 21, Food and Drugs.

EFFECTIVE DATE OF REPEAL; SAVINGS PROVISION

Repeal effective on and after thirtieth day following Aug. 8, 1953, and savings provision, see notes set out under section 258 of this title.

IMPORTATIONS PROHIBITED

§§ 135 to 143. Repealed. June 17, 1939, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title III, §§305(a), (c), 306(a)-(c), 307, title IV, §526(a)-(c), 42 Stat. 936, 937, 975, related to prohibitions on importation of obscene books, neat cattle, convict goods, merchandise bearing trade marks owned by citizens and enforcement provisions.

Provisions of Tariff Act of 1930 corresponding to section 135, see section 1305 of this title; section 136, see section 1305; section 137, see section 1306; section 138, none; section 139, none; section 140, see section 1307; section 141, see section 1526(a); section 142, see section 1526(b); section 143, see section 1526(c).

SPECIAL PROVISIONS FOR ADMISSION OR WITHDRAWAL FROM BONDED WAREHOUSE WITHOUT PAYMENT OF DUTY

§ 144. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title III, §308, 42 Stat. 938, related to admission without payment of duty under bond for exportation.

§ 144a. Entry under bond of exhibits of arts, sciences, and industries, and products of soil, mine, and sea

All articles which shall be imported from foreign countries for the sole purpose of exhibition or display at a permanent exhibition or exhibitions and/or at a temporary exhibition or exhibi-

tions of the arts, sciences, and industries, and products of the soil, mine, and sea, to be held at any time and from time to time by Rockefeller Center (Incorporated), a corporation organized under the laws of the State of New York, and/or by its tenants or licensees in a building or buildings to be owned by Rockefeller Center (Incorporated), and to be a part of and to be known as Rockefeller Center and to be located between Fifth and Sixth Avenues and Forty-eighth and Fifty-first Streets, in the Borough of Manhattan, city and State of New York, upon which articles there shall be a tariff or customs duty, shall be admitted free of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful, at any time during or at the close of any exhibition held pursuant to this section, to sell for delivery at the close thereof any goods or property imported for and actually displayed at such exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption or use in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal and to the requirements of the tariff laws in effect at such date: *And provided further*, That Rockefeller Center (Incorporated) shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this section, and that all necessary governmental expenses incurred as a result of exhibitions authorized under this section, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by Rockefeller Center (Incorporated) under regulations to be prescribed by the Secretary of the Treasury: *And provided further*, That all such articles shall, at the expiration of two years, be subject to the impost duty then in force, unless the same shall have been sold or exported from this country prior to that period of time: *And provided further*, That nothing in this section contained shall be construed as an invitation, express or implied, from the Government of the United States to any foreign government, state, municipality, corporation, partnership, or individual to import any articles for the purpose of exhibition at the said exhibitions.

(July 19, 1932, ch. 511, 47 Stat. 705.)

IMMUNITY FROM SEIZURE UNDER JUDICIAL PROCESS OF CULTURAL OBJECTS IMPORTED FOR TEMPORARY EXHIBITION OR DISPLAY

Presidential determination of cultural significance of objects and exhibition or display thereof in the national interest, see section 2459 of Title 22, Foreign Relations and Intercourse.

§§ 145 to 147. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section 145, acts June 26, 1884, ch. 121, § 16, 23 Stat. 57; June 19, 1886, ch. 421, § 15, 24 Stat. 82; July 24, 1897, ch. 11, § 14, 30 Stat. 207, related to supplies for vessels in foreign trade or trade between Atlantic and Pacific. See section 1309 of this title.

Section 146, act Sept. 21, 1922, ch. 356, title III, § 309, 42 Stat. 938, related to supplies to war vessels free of duty. See section 1309 of this title.

Section 147, act Sept. 21, 1922, ch. 356, title III, § 310, 42 Stat. 938, related to admission free of duty of merchandise of sunken and abandoned vessels. See section 1310 of this title.

BONDED WAREHOUSES

§§ 148 to 150. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title III, §§ 311, 312, 42 Stat. 938-940, related to bonded manufacturing and smelting warehouses and enforcement provisions. Provisions of Tariff Act of 1930 corresponding to section 148, see section 1311 of this title; section 149, see section 1312; section 150, see section 1312.

§ 151. Bonded warehouses for storage and cleaning of imported garbanzo; withdrawals

Under such regulations and conditions as may be prescribed by the Secretary of the Treasury, bonded warehouses may be established in which imported Mexican peas, commonly called garbanzo may be stored, cleaned, repacked or otherwise changed in condition, but not manufactured, and withdrawn for exportation without the payment of duty thereon. The whole or any part of such imported garbanzo, and the waste material and by-products incident to cleaning or otherwise treating said imported garbanzo, may be withdrawn for domestic consumption upon the payment on the quantity so withdrawn of the duty imposed by law on such garbanzo in their condition as imported. The compensation of customs officers and storekeepers for all services in the supervision of such warehouses shall be paid from moneys advanced by the warehouse proprietor to the appropriate customs officer and be carried in a special account and disbursed for such purposes, and all expenses incurred shall be paid by the warehouse proprietor.

(June 28, 1916, ch. 180, 39 Stat. 239; Pub. L. 91-271, title III, § 310, June 2, 1970, 84 Stat. 292.)

AMENDMENTS

1970—Pub. L. 91-271 substituted reference to the appropriate customs officer for reference to the collector of customs.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-271 effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after Oct. 1, 1970, and such other articles entered or withdrawn from warehouse for consumption prior to such date, or with respect to which a protest has not been disallowed in whole or in part before Oct. 1, 1970, see section 203 of Pub. L. 91-271, set out as a note under section 1500 of this title.

DRAWBACKS

§ 152. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title III, § 313, 42 Stat. 940, related to drawbacks on certain articles made from imported materials. For corresponding provisions of Tariff Act of 1930, see section 1313 of this title.

§§ 152a, 152b. Repealed. Oct. 31, 1951, ch. 655, § 56(d), 65 Stat. 729

Sections, act Mar. 8, 1902, ch. 140, §§ 6, 7, 32 Stat. 55, related to drawbacks in connection with articles

shipped to, or reexported to, the Philippines. Prior to this repeal, they had been omitted in view of the independence of the Philippines.

SAVINGS PROVISION

Subsec. (l) of section 56 of act Oct. 31, 1951, provided that the repeal of these sections shall not affect any rights or liabilities existing hereunder on the effective date of such repeal (Oct. 31, 1951).

REIMPORTING EXPORTED ARTICLES

§ 153. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title III, §314, 42 Stat. 941, related to duty on articles reimported after exportation free of internal-revenue taxes.

EQUALIZING PRODUCTION COSTS

§§ 154 to 159. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title III, §315(a)–(f), 42 Stat. 941–943, related to procedure where duties do not equalize differences in costs of production in United States and principal competing country and rules and regulations for entry and declaration of articles.

Provisions of Tariff Act of 1930 corresponding to section 154, see section 1336(a) of this title; section 155, see section 1336(b); section 156, see section 1336(e); section 157, none; section 158, see section 1336(i); section 159, see section 1336(j).

ANTIDUMPING

§§ 160 to 171. Repealed. Pub. L. 96–39, title I, § 106(a), July 26, 1979, 93 Stat. 193

Section 160, acts May 27, 1921, ch. 14, §201, 42 Stat. 11; Sept. 1, 1954, ch. 1213, title III, §301, 68 Stat. 1138; Aug. 14, 1958, Pub. L. 85–630, §1, 4(b), 72 Stat. 583, 585; Jan. 3, 1975, Pub. L. 93–618, title III, §321(a), 88 Stat. 2043, related to initiation of a dumping investigation. See section 1673 et seq. of this title.

Section 161, acts May 27, 1921, ch. 14, §202, 42 Stat. 11; Sept. 1, 1954, ch. 1213, title III, §302, 68 Stat. 1139; Aug. 14, 1958, Pub. L. 85–630, §2, 4(b), 72 Stat. 583, 585; June 2, 1970, Pub. L. 91–271, title III, §311, 84 Stat. 292, related to collection of a special dumping duty. See section 1673 et seq. of this title.

Section 162, acts May 27, 1921, ch. 14, §203, 42 Stat. 12; Jan. 3, 1975, Pub. L. 93–618, title III, §321(b), 88 Stat. 2045, related to determination of purchase price of merchandise for purposes of sections 160 to 171 of this title. See section 1673 et seq. of this title.

Section 163, acts May 27, 1921, ch. 14, §204, 42 Stat. 13; Jan. 3, 1975, Pub. L. 93–618, title III, §321(c), 88 Stat. 2046, related to determination of price at which merchandise is sold or agreed to be sold in United States. See section 1677a of this title.

Section 164, acts May 27, 1921, ch. 14, §205, 42 Stat. 13; Aug. 14, 1958, Pub. L. 85–630, §3, 72 Stat. 584; Jan. 3, 1975, Pub. L. 93–618, title III, §321(d), 88 Stat. 2046, related to foreign market value of goods for purposes of sections 160 to 171 of this title. See section 1677b of this title.

Section 165, acts May 27, 1921, ch. 14, §206, 42 Stat. 213; Aug. 14, 1958, Pub. L. 85–630, §4(a), 72 Stat. 584, related to constructed value of merchandise for purposes of sections 160 to 171 of this title. See section 1673 et seq. of this title.

Section 166, act May 27, 1921, ch. 14, §207, 42 Stat. 14, defined “exporter” as used in sections 160 to 171 of this title. See section 1677(13) of this title.

Section 167, acts May 27, 1921, ch. 14, §208, 42 Stat. 14; June 2, 1970, Pub. L. 91–271, title III, §312, 84 Stat. 292, related to oaths and bonds given in case of imported merchandise. See section 1673 et seq. of this title.

Section 168, acts May 27, 1921, ch. 14, §209, 42 Stat. 15; Aug. 14, 1958, Pub. L. 85–630, §4(b), 72 Stat. 585; June 2, 1970, Pub. L. 91–271, title III, §313, 84 Stat. 292, related to duties of customs officers with regard to appraisal of merchandise. See section 1673h of this title.

Section 169, acts May 27, 1921, ch. 14, §210, 42 Stat. 15; May 28, 1926, ch. 411, §1, 44 Stat. 669; Mar. 2, 1929, ch. 488, §1, 45 Stat. 1475; Aug. 14, 1958, Pub. L. 85–630, §4(b), 72 Stat. 585; June 2, 1970, Pub. L. 91–271, title III, §314, 84 Stat. 293, related to protests from determinations of customs officers. See section 1673 et seq. of this title.

Section 170, act May 27, 1921, ch. 14, §211, 42 Stat. 15, related to treatment of antidumping duties as regular duties for purposes of all laws relating to drawback of duties. See section 1673i of this title.

Section 170a, act May 27, 1921, ch. 14, §212, as added Aug. 14, 1958, Pub. L. 85–630, §5, 72 Stat. 585; amended Jan. 3, 1975, Pub. L. 93–618, title III, §321(e), 88 Stat. 2048, defined terms used in sections 160 to 171 of this title. See section 1677 of this title.

Section 171, act May 27, 1921, ch. 14, §213, formerly §212, 42 Stat. 15, renumbered Aug. 14, 1958, Pub. L. 85–630, §5, 72 Stat. 585, authorized citation of sections 160 to 171 of this title as the “Antidumping Act, 1921”.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1980, see section 107 of Pub. L. 96–39, set out as an Effective Date note under section 1671 of this title.

SAVINGS PROVISION

Pub. L. 96–39, title I, §106(a), July 26, 1979, 93 Stat. 193, provided in part that findings in effect on the effective date of the repeal of sections 160 to 171 of this title (Jan. 1, 1980, see Effective Date of Repeal note set out above) or issued pursuant to court order in an action brought before that date, shall remain in effect, subject to review under section 1675 of this title.

ADMINISTRATION OF THE ANTIDUMPING ACT, 1921, BY UNITED STATES TARIFF COMMISSION; REPORT TO CONGRESS

Pub. L. 90–634, title II, §201, Oct. 24, 1968, 82 Stat. 1347, provided that the International Antidumping Code would not restrict the United States Tariff Commission in performing its duties and functions under sections 160 to 171 of this title [known as the Antidumping Act, 1921], required the Secretary of the Treasury and the Tariff Commission to take that Code into account only when consistent with the provisions of those sections, and required the President to submit a report to Congress for the period between July 1, 1968, and June 30, 1969, which had to include all determinations made by the Secretary of the Treasury and the Tariff Commission during that period relating to those sections, analyze the consideration given the International Antidumping Code in each such determination, summarize actions taken by other countries during such period against United States exports, and the relation of such actions to that Code, and include such recommendations as the President determined appropriate concerning the administration of sections 160 to 171 of this title.

ANTIDUMPING ACT UNAFFECTED BY ACT AUGUST 2, 1956; REVIEW OF OPERATION OF ACT AND REPORT TO CONGRESS

Section 5 of act Aug. 2, 1956, ch. 887, 70 Stat. 948, provided that nothing in that act would be considered to repeal, modify, or supersede, directly or indirectly, any provisions of former sections 160 to 171 of this title [known as the Antidumping Act, 1921] and required the Secretary of the Treasury, after consulting with the United States Tariff Commission, to review the operation and effectiveness of those sections and report thereon to the Congress within six months after August 2, 1956, and to recommend to the Congress any amendment to those sections considered desirable or necessary to provide for greater certainty, speed, and efficiency in the enforcement thereof.

ANTIDUMPING ACT UNAFFECTED BY TARIFF ACT OF 1930

Sections 160 to 171 of this title, which were repealed by Pub. L. 96-39, had previously been excepted from repeal or amendment by act June 17, 1930, ch. 497, 46 Stat. 763 [Tariff Act of 1930], section 651(d) of which provided that nothing in that act would be construed to amend or repeal the Antidumping Act [sections 160 to 171 of this title].

ADDITIONAL DEFINITIONS

§ 172. Omitted

Section, act May 27, 1921, ch. 14, §406, 42 Stat. 18; Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, which defined the terms "person" and "United States" as those terms were used in sections 160 to 171 of this title was omitted in view of the repeal of sections 160 to 171 of this title by Pub. L. 96-39, title I, §106(a), July 26, 1979, 93 Stat. 193.

RULES AND REGULATIONS

§ 173. Omitted

Section, act May 27, 1921, ch. 14, §407, 42 Stat. 18, which directed the Secretary to make rules and regulations necessary for the enforcement of sections 160 to 171 of this title was omitted in view of the repeal of sections 160 to 171 of this title by Pub. L. 96-39, title I, §106(a), July 26, 1979, 93 Stat. 193.

UNFAIR METHODS OF COMPETITION AND IMPORTATION UNLAWFUL

§§ 174 to 180. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title III, §316(a)-(g), 42 Stat. 943, 944, related to unfair acts tending to destroy or injure domestic industries, investigations by Tariff Commission, appeals, and forbidding entry of articles pending completion of investigations.

Provisions of Tariff Act of 1930 corresponding to section 174, see section 1337(a) of this title; section 175, see section 1337(b); section 176, see section 1337(c); section 177, see section 1337(d); section 178, see section 1337(e); section 179, see section 1337(f); section 180, see section 1337(g).

IMPORTS FROM COUNTRIES MAKING DISCRIMINATIONS

§ 181. Exclusion of imports from countries making discriminations

Whenever the President shall be satisfied that unjust discriminations are made by or under the authority of any foreign state against the importation to or sale in such foreign state of any product of the United States, he may direct that such products of such foreign state so discriminating against any product of the United States as he may deem proper shall be excluded from importation to the United States; and in such case he shall make proclamation of his direction in the premises, and therein name the time when such direction against importation shall take effect, and after such date the importation of the articles named in such proclamation shall be unlawful. The President may at any time revoke, modify, terminate, or renew any such direction as, in his opinion, the public interest may require.

(Aug. 30, 1890, ch. 839, § 5, 26 Stat. 415.)

§§ 182 to 190. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title III, §317(a)-(i), 42 Stat. 944-946, related to new or additional duties on imports from countries making discriminations against United States products, suspension, exclusion and enforcement provisions. Provisions of Tariff Act of 1930 corresponding to section 182, see section 1338(a) of this title; section 183, see section 1338(b) of this title; section 184, see section 1338(c) of this title; section 185, see section 1338(d) of this title; section 186, see section 1338(e) of this title; section 187, see section 1338(f) of this title; section 188, see section 1338(g) of this title; section 189, see section 1338(h) of this title; section 190, see section 1338(i) of this title.

SPECIAL PROVISIONS

§§ 191, 192. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), (4), 46 Stat. 762, eff. June 18, 1930

Section 191, act Sept. 21, 1922, ch. 356, title III, §322, 42 Stat. 948, related to duties on automobiles, etc., sold foreign Governments.

Section 192, R.S. §2804; act Aug. 27, 1894, ch. 349, §26, 28 Stat. 552, related to entry of cigars.

§§ 193 to 195. Repealed. Pub. L. 87-456, title III, § 303(c), May 24, 1962, 76 Stat. 78

Section 193, act Jan. 9, 1883, ch. 17, 22 Stat. 402, related to grain brought from Canada for grinding.

Section 194, act May 18, 1896, ch. 195, 29 Stat. 122, provided for the return free of articles and livestock exported for exhibition.

Section 195, act Mar. 3, 1899, ch. 454, 30 Stat. 1372, provided for free entry of animals taken abroad with circus or menagerie.

§ 196. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Section, act Sept. 21, 1922, ch. 356, title III, § 319, 42 Stat. 947, related to duties imposed on certain previous imports and basis upon weight at time of entry.

§ 196a. Repealed. Pub. L. 87-456, title III, § 303(c), May 24, 1962, 76 Stat. 78

Section, act Aug. 27, 1949, ch. 517, §1, 63 Stat. 666, provided for free importation of articles for members of armed forces of foreign countries.

EFFECTIVE DATE OF REPEAL

For effective date of repeal, see section 501(a) of Pub. L. 87-456.

PAYMENT OF DUTY

§ 197. Duties, how payable

Except as provided in section 198 of this title all duties upon imports shall be collected in ready money, and shall be paid in coin, coin certificates, and such other certificates or Treasury notes as may by law be declared receivable in payment thereof.

(R.S. §3009; Feb. 27, 1877, ch. 69, 19 Stat. 247, 249.)

CODIFICATION

R.S. §3009 derived from acts Mar. 2, 1833, ch. 55, §3, 4 Stat. 630; Aug. 6, 1846, ch. 84, §1, 9 Stat. 53; Feb. 25, 1862, ch. 33, §5, 12 Stat. 346.

R.S. §3473, formerly cited as a credit to this section, was repealed by Pub. L. 95-598, title III, §322(d), title IV, §402(a), Nov. 6, 1978, 92 Stat. 2679, 2682, effective Oct. 1, 1979.

Prior to its incorporation into the Code, R.S. §3009, as amended by act Feb. 27, 1877, ch. 69, 19 Stat. 247, read: "All duties upon imports shall be collected in ready money, and shall be paid in coin or coin certificates or in United States notes, payable on demand, authorized to be issued prior to the twenty-fifth day of February, one thousand eight hundred and sixty-two, and by law receivable in payment of public dues."

Its provisions were changed to conform to section 198 of this title authorizing the receipt of certified checks in payment of duties; section 405 of Title 31, Money and Finance (act Feb. 28, 1878, ch. 20, §3, 20 Stat. 26) making certain certificates and treasury notes receivable for customs; section 451 of Title 31, (act Dec. 24, 1919, ch. 15, §1, 41 Stat. 370) making gold certificates a legal tender in payment of all debts and dues, public and private; and a provision of act Mar. 14, 1900, ch. 41, §6, 31 Stat. 47, as amended (omitted from the Code as superseded by section 451 of Title 31) that gold certificates should be receivable for customs.

§ 198. Certified checks; receivable for all public dues; lien for payment of

It shall be lawful for collecting officers to receive certified checks drawn on National and State banks and trust companies, during such time and under such regulations as the Secretary of the Treasury may prescribe, in payment for duties on imports, and all public dues, including special customs deposits. No person, however, who may be indebted to the United States on account of duties on imports who shall have tendered a certified check or checks as provisional payment for such duties or taxes, in accordance with the terms of this section, shall be released from the obligation to make ultimate payment thereof until such certified check so received has been duly paid; and if any such check so received is not duly paid by the bank on which it is drawn and so certifying the United States shall, in addition to its right to exact payment from the party originally indebted therefor, have a lien for the amount of such check upon all the assets of such bank; and such amount shall be paid out of its assets in preference to any or all other claims whatsoever against said bank, except the necessary costs and expenses of administration and the reimbursement of the United States for the amount expended in the redemption of the circulating notes of such bank.

(Mar. 2, 1911, ch. 191, §1, 36 Stat. 965; Mar. 3, 1913, ch. 119, 37 Stat. 733.)

TRANSFER OF FUNCTIONS

Functions of all officers of Department of the Treasury and functions of all agencies and employees of such Department transferred, with certain exceptions, to Secretary of the Treasury, with power vested in him to authorize their performance or performance of any of his functions, by any of those officers, agencies, and employees, by Reorg. Plan No. 26 of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Collecting officers, referred to in this section, are officials of Department of the Treasury.

§ 199. Judgments, how payable

In all proceedings brought by the United States in any court for due recovery as well of duties upon imports alone as of penalties for the nonpayment thereof, the judgment shall recite that the same is rendered for duties, and such

judgment, interest, and costs shall be payable in the coin by law receivable for duties, and the execution issued on such judgment shall set forth that the recovery is for duties, and shall require the marshal to satisfy the same in the coin by law receivable for duties; and in case of levy upon and sale of the property of the judgment debtor, the marshal shall refuse payment from any purchaser at such sale in any other money than that specified in the execution.

(R.S. §3014.)

CODIFICATION

R.S. §3014 derived from act Mar. 3, 1865, ch. 80, §12, 13 Stat. 494.

SUBTITLE IV—CUSTOMS ADMINISTRATION

ADMINISTRATIVE PROVISIONS

PART 1—DEFINITIONS

§ 231. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762

Section, act Sept. 21, 1922, ch. 356, title IV, §401, 42 Stat. 948, related to definitions of terms of Tariff Act of 1922.

Corresponding provisions of Tariff Act of 1930, see section 1401 of this title.

§ 232. "Port" defined

The word "port", as used in title 34 of the Revised Statutes, may include any place from which merchandise can be shipped for importation, or at which merchandise can be imported.

(R.S. §2767.)

REFERENCES IN TEXT

Title 34 of the Revised Statutes, referred to in text, was in the original "this Title", meaning title 34 of the Revised Statutes, consisting of R.S. §§2517 to 3129. For complete classification of R.S. §§2517 to 3129 to the Code, see Tables.

§ 233. Departure from prescribed forms

In cases where the forms of official documents, as prescribed by title 34 of the Revised Statutes, shall be substantially complied with and observed, according to the true intent thereof, no penalty or forfeiture shall be incurred by a deviation therefrom.

(R.S. §2769.)

REFERENCES IN TEXT

Title 34 of the Revised Statutes, referred to in text, was in the original "this Title", meaning title 34 of the Revised Statutes, consisting of R.S. §§2517 to 3129. For complete classification of R.S. §§2517 to 3129 to the Code, see Tables.

CODIFICATION

R.S. §2769 derived from act Mar. 2, 1799, ch. 22, §111, 1 Stat. 704.

§§ 234 to 239. Repealed. June 17, 1930, ch. 497, title IV, § 651(a)(1), 46 Stat. 762, eff. June 18, 1930

Sections, act Sept. 21, 1922, ch. 356, title IV, §402(a)-(f), 42 Stat. 949, 950, related to valuation of imported merchandise, ascertainment of foreign, export, United States value, cost of production, American selling price and value at date of shipment.