

EXPORTATION FROM CUSTOMS CUSTODY OF
MERCHANDISE UNENTERED OR COVERED BY
AN UNLIQUIDATED CONSUMPTION ENTRY, OR
MERCHANDISE DENIED ADMISSION BY THE
GOVERNMENT

- 18.25 Direct exportation.
18.26 Indirect exportation.
18.27 Port marks.

MERCHANDISE TRANSPORTED BY PIPELINE

- 18.31 Pipeline transportation of bonded merchandise.

MERCHANDISE NOT OTHERWISE SUBJECT TO
CUSTOMS CONTROL EXPORTED UNDER COVER
OF A TIR CARNET

- 18.41 Applicability.
18.42 Direct exportation.
18.43 Indirect exportation.
18.44 Abandonment of exportation.
18.45 Supervision of exportation.

AUTHORITY: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1551, 1552, 1553, 1624;

Section 18.3 also issued under 19 U.S.C. 1565;

Section 18.4 also issued under 19 U.S.C. 1322, 1323;

Section 18.7 also issued under 19 U.S.C. 1557; 1646a;

Section 18.8 also issued under 19 U.S.C. 1623;

Section 18.10 also issued under 19 U.S.C. 1557;

Sections 18.11 and 18.12 also issued under 19 U.S.C. 1484;

Section 18.13 also issued under 19 U.S.C. 1498(a);

Section 18.14 also issued under 19 U.S.C. 1498.

Section 18.31 also issued under 19 U.S.C. 1553a.

SOURCE: 28 FR 14755, Dec. 31, 1963, unless otherwise noted.

GENERAL PROVISIONS

§ 18.1 Carriers; application to bond.

(a)(1) Merchandise to be transported from one port to another in the United States in bond, except as provided for in paragraph (b) of this section, shall be delivered to a common carrier, contract carrier, freight forwarder, or private carrier bonded for that purpose, but such merchandise delivered to a common carrier, contract carrier, or freight forwarder may be transported with the use of facilities of other bonded or nonbonded carriers. For the purposes of this section, the term "com-

mon carrier" means a common carrier of merchandise owning or operating a railroad, steamship, pipeline, or other transportation line or route. Only vessels entitled to engage in the coastwise trade (see § 4.80 of this chapter) shall be entitled to transport merchandise under this section.

(2) Merchandise to be transported from one port to another in the United States under cover of a TIR carnet (see part 114 of this chapter), except merchandise not otherwise subject to Customs control, as provided in §§ 18.41 through 18.45, shall be delivered to a common carrier or contract carrier bonded for that purpose, but the merchandise thereafter may be transported with the use of other bonded or nonbonded common or contract carriers. The TIR carnet shall be responsible for liability incurred in the carriage of merchandise under the carnet, and the carrier's bond shall be responsible as provided in § 114.22(d) of this chapter.

(3) Merchandise to be transported from one port to another in the United States under cover of an A.T.A. carnet (see part 114 of this chapter) shall be delivered to a common carrier or contract carrier bonded for that purpose, but the merchandise thereafter may be transported with the use of other bonded or nonbonded common or contract carriers. The A.T.A. carnet shall be responsible for liability incurred in the carriage of merchandise under the carnet, and the carrier's bond shall be responsible as provided in § 114.22(d) of this chapter.

(b) Pursuant to Public Resolution 108, of June 19, 1936, (19 U.S.C. 1551, 1551a) and subject to compliance with all other applicable provisions of this part, the port director, upon the request of the party in interest, may permit merchandise entered and examined for Customs purposes to be transported in bond between the ports named in the resolution by bonded cartmen or lightermen duly qualified in accordance with the provisions of part 112 of this chapter, if the port director is satisfied that the transportation of such

merchandise in this manner will not endanger the revenue.

[28 FR 14755, Dec. 31, 1963, as amended by T.D. 71-70, 36 FR 4485, Mar. 6, 1971; T.D. 71-263, 36 FR 20291, Oct. 20, 1971; T.D. 73-140, 38 FR 13550, May 23, 1973; T.D. 78-99, 43 FR 13061, Mar. 29, 1978; T.D. 82-116, 47 FR 27261, June 24, 1982; T.D. 82-145, 47 FR 35478, Aug. 16, 1982; 47 FR 39478, Sept. 8, 1982; T.D. 84-149, 49 FR 28698, July 16, 1984; T.D. 89-1, 53 FR 51254, Dec. 21, 1988; T.D. 96-18, 61 FR 6779, Feb. 22, 1996]

§ 18.2 Receipt by carrier; manifest.

(a)(1) *Merchandise other than from warehouse or foreign trade zone delivered to bonded carrier.* Except as set forth in paragraphs (a)(2) and (a)(3) of this section, within 5 working days after presentation of an entry for merchandise to be transported in-bond, the forwarding carrier shall take receipt of the merchandise if any lay order period and extension thereof have expired and no other entry is filed. If the forwarding carrier fails to take receipt of the merchandise within the prescribed period, the transportation entry shall be canceled and the merchandise shall be treated as unclaimed as of the date of original arrival.

(2) When merchandise is delivered to a bonded carrier for transportation in-bond, the merchandise shall be laden on the conveyance under supervision of a Customs officer unless—

(i) The transporting conveyance is not to be sealed with Customs seals, or

(ii) The lading inspector accepts the check of the carrier as to the merchandise laden. The carrier's receipt shall be given immediately to the lading inspector on the Customs in-bond document (the appropriate Customs Form 7512, or the carnet) covering the merchandise. In the case of a carnet, the receipt shall be given on the appropriate vouchers in the following form:

Received the cargo listed herein for delivery to Customs at the indicated port of destination or exportation, or for direct exportation.

Name of Carrier (or Exporter) _____
 Attorney-in-fact or Agent of Carrier (or Exporter) _____

Date _____

(3) *Merchandise delivered from warehouse.* When merchandise is delivered from a warehouse to a bonded carrier

for transportation in bond, supervision of lading shall be accomplished in accordance with the procedure set forth in § 19.6(b) of this chapter.

(4) *Merchandise delivered from foreign trade zone.* When merchandise is delivered from a foreign trade zone to a bonded carrier for transportation in bond, supervision of lading will be accomplished in accordance with the procedure set forth in § 146.71(a) of this chapter.

(b) A Customs in-bond document, containing a description of the merchandise, and Customs control card (Customs Form 7512-C), shall be prepared by the carrier or any of the parties named in § 18.11(b), whenever merchandise is being transported in bond. The Customs in-bond document thus prepared shall then be signed by the carrier or any of the parties named in § 18.11(b). All copies of the in-bond document shall be signed by the importing carrier or his agent and the in-bond carrier or his agent to indicate the quantity delivered for transportation in bond. When there is no discrepancy between the quantity manifested by the importing carrier and the quantity delivered to the in-bond carrier, the port director may authorize waiving the signature of the parties in interest as to delivered quantities. Quantities of goods transported in bond from a Customs bonded warehouse shall be accounted for under the procedures set forth in § 19.6 of this chapter. Except as prescribed in subpart D of part 123 of this chapter, relating to merchandise in transit through the United States between ports in contiguous foreign territory, a separate set shall be prepared for each entry and, if the consignment is contained in more than one conveyance, a separate set shall be prepared for each conveyance.

(c)(1) After the merchandise has been laden and the in-bond carrier or his agent has receipted the in-bond document, Customs Form 7512 (in duplicate), together with either the related Customs Form 7512-C (destination) or the carnet (which cannot be used in conjunction with Customs Form 7512-C) shall be delivered as a manifest to the conductor, master, or person in charge to accompany the merchandise