

**§ 177.28 Issuance of advisory rulings and final determinations.**

(a) Pursuant to a request for an advisory ruling which meets the requirements of this subpart, Customs will promptly issue an advisory ruling.

(b) Pursuant to a request for a final determination which meets the requirements of this subpart, Customs will promptly issue a final determination. If the request does not meet the requirements of this subpart Customs may decline to issue a final determination or may issue instead an advisory ruling.

(c) Requests for final determinations which include the information set forth in § 177.25(b)(5) (relating to a specific procurement) will be considered by Customs before all other requests (advisory rulings and final determinations).

**§ 177.29 Publication of notice of final determinations.**

Notice of all final determinations shall be published in the FEDERAL REGISTER within 60 days of the date the final determination is issued.

**§ 177.30 Review of final determinations.**

Any party-at-interest listed in § 177.22(d) may seek judicial review of a final determination within 30 days after publication of such determination in the FEDERAL REGISTER, and may seek judicial review of a refusal to issue a final determination within 30 days after such refusal. The Court of International Trade shall have exclusive jurisdiction to review a final determination or a refusal to issue a final determination made under this subpart.

**§ 177.31 Reexamination of final determinations.**

A party-at-interest, other than the party-at-interest which requested and received the initial final determination, may ask Customs to consider the matter anew and issue, on an expedited basis, a new final determination. Such a request shall specifically identify the previous final determination. Upon receipt of such a request, Customs will issue a new final determination within five working days of receipt of the re-

quest unless (a) the previous final determination was the subject of a contested lawsuit timely filed in the Court of International Trade under 28 U.S.C. 1581(e) or, (b) the merchandise at issue in the initial final determination was tendered and deemed responsive to the request for proposals or an invitation for bids in a competitive procurement subject to the Buy American Act (41 U.S.C. 10a *et seq.*) and a contract under such procurement was let. Any new final determination issued under this section shall be published in accordance with § 177.29 and is reviewable under § 177.30.

**PART 178—APPROVAL OF INFORMATION COLLECTION REQUIREMENTS**

Sec.

178.1 Purpose.

178.2 Listing of OMB control numbers.

AUTHORITY: 5 U.S.C. 301; 19 U.S.C. 1624; 44 U.S.C. 3501 *et seq.*

**§ 178.1 Purpose.**

This part sets forth the control numbers assigned to information collections of the Customs Service by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96-511. This part complies with the requirements of the Paperwork Reduction Act of 1980, and implements regulations promulgated by the Office of Management and Budget, (5 CFR 1320.7(f)(2), 1320.12(d) and 1320.13(j)) which require that agencies display a current control number assigned by the Director of the Office of Management and Budget for each agency information collection.

[T.D. 85-53, 50 FR 11849, Mar. 26, 1985]

**§ 178.2 Listing of OMB control numbers.**

19 CFR Section	Description	OMB control No.
§§ 4.20, 4.23, and 4.24.	Certification of payment of tonnage tax.	1515-0113
§ 4.7a .....	Unique bill of lading identifier for inward manifests.	1515-0142
§ 4.37 .....	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220

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19 CFR Section	Description	OMB control No.	19 CFR Section	Description	OMB control No.
§ 4.97 .....	Application for foreign vessel to engage in salvage operation/report of salvage operation.	515–0132	§ 10.67(a)(3) ....	Declaration of ultimate consignee of articles previously exported from U.S. for scientific or educational purposes, and now being returned, that such articles have not been changed in condition while abroad.	1515–0104
§ 7.3 .....	Claim for duty-free entry of goods imported from U.S. insular possessions.	1515–0200	§ 10.84 .....	Origin certificate for automotive products from Canada.	1515–0164
§ 10.1 .....	Declarations covering U.S. articles exported and returned without having been advanced in value or improved in condition.	1515–0194	§ 10.99 .....	Importation of ethyl alcohol for nonbeverage purposes.	1515–0160
§ 10.8 .....	Declarations covering articles exported for repairs or alterations and returned.	1515–0194	§ 10.107 .....	Report of person who sent article from foreign country, or of person in U.S. for whose account an article was received, to justify duty-free entry of articles imported under conditions of emergency.	1515–0130
§ 10.8a(b)(1) ....	Declaration by person abroad who received and is returning articles to the U.S. that do not conform to samples or specifications.	1515–0108	§ 10.137 .....	Requirement of importer to maintain accurate, detailed records on use or other disposition of imported merchandise for "actual use" duty assessment requirements.	1515–0091
§ 10.8a(b)(2) ....	Declaration by owner, importer, consignee or agent that articles being re-imported into U.S. were previously imported, with payment of duty, and exported, without benefit of drawback.	1515–0108	§ 10.138 .....	Certificate of importer to verify actual use of articles imported duty-free or at a reduced rate of duty under actual use provisions.	1515–0109
§ 10.9 .....	Declarations covering metal articles exported for processing and returned for further processing.	1515–0194	§ 10.173 .....	Claim for duty-free entry of eligible articles under the Generalized System of Preferences.	1515–0194
§§ 10.24, 162.1c.	Declaration by foreign assembler and endorsement by importer that articles were assembled in whole or in part from fabricated components that were products of the U.S.	1515–0088	§ 10.198 .....	Claim for duty-free entry of eligible articles under the Caribbean Basin Initiative.	1515–0194
§ 10.25 .....	Declaration by foreign assembler and endorsement by importer that articles were assembled in whole or in part from textile components cut to shape in the U.S.	1515–0207	§ 10.207 .....	Claim for duty-free entry of eligible articles under the Andean Trade Preference Act.	1515–0219
§ 10.41b .....	Requirement to clearly and conspicuously mark serially numbered substantially holders or containers.	1515–0116	§§ 10.307, 10.310, and 10.311.	Claim for duty-free entry and election to average for automotive products under the U.S.-Canada Free Trade Agreement.	1515–0164
§ 10.41b(e) .....	Requirement to keep adequate records on current status of serially numbered substantial holders or containers.	1515–0101	§§ 12.104c, 12.104e.	Certificates and other documentation relating to the importation of items of cultural property.	1515–0147
§ 10.48 .....	Declaration by originating artist, or seller or shipper, that work of art being imported into the U.S. is an original work of art.	1515–0118	§ 12.130(c) .....	Declaration of manufacturer, producer, exporter or importer of textiles or textile products as to country of origin of such article.	1515–0140
§ 10.67(a)(2) ....	Declaration by foreign shipper describing the specific use to which articles exported from U.S. for scientific or educational purposes, and now being returned, were put while abroad.	1515–0105	§ 12.132 .....	Country of origin declaration covering textile and apparel goods under the North American Free Trade Agreement.	1515–0205
			§ 19.2 .....	Information to be supplied by owner or lessee in support of application to establish a bonded warehouse facility.	1515–0121
			§ 19.3 .....	Application to alter, relocate, or discontinue a bonded warehouse/list of employees engaged in the carriage, receiving, storage or delivery of bonded merchandise.	1515–0134

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19 CFR Section	Description	OMB control No.	19 CFR Section	Description	OMB control No.
§ 19.13(b) .....	Application for establishment of a manufacturing warehouse.	1515-0136	§ 122.50 .....	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220
§ 19.14(c) .....	Application by proprietor of bonded manufacturing warehouse to receive therein domestic merchandise to be used in connection with the manufacture of articles.	1515-0133	§ 122.173 .....	Application for entry into the Air Carrier Smuggling Prevention Program.	1515-0171
§ 19.17 .....	Application by manufacturer to bond (or discontinue a previously bonded) establishment engaged in the smelting or refining of metal-bearing materials.	1515-0127	§ 123.10 .....	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220
§ 19.19 .....	Record of smelting and refining operation showing receipt and disposition of each shipment of material.	1515-0135	§ 123.73 .....	Application to participate in the Land Border Carrier Initiative Program.	1515-0217
§ 19.40 .....	Application for establishment of a container station.	1515-0117	§§ 125.22, 125.33, 125.34, 125.35.	Authorization of bonded carriers to transport cargo within port limits without obtaining cartman's license.	1515-0193
§ 19.42 .....	Application by container station operator to transfer a container, intact, to a station.	1515-0142	§ 128.11 .....	Express consignment carrier application and approval process.	1515-0144
§ 19.46 .....	List of persons employed by container station operator in moving, receiving, storing or delivering imported merchandise.	1515-0138	§ 128.21 .....	Specific description of merchandise.	1515-0069
§ 24.5 .....	Importer Identification Information.	1515-0199	§ 128.23 .....	Requirement of submission of Customs-approved bar-coded entry numbers for ACS processing.	1515-0069
§ 24.22 .....	Users fees for Customs services.	1515-0154	§ 128.24 .....	Requirement for Invoice, Advance Manifest, or Immediate Delivery application form.	1515-0069
§ 24.24 .....	Harbor maintenance fee .....	1515-0158	§ 133.2 .....	Application to record a trademark.	1515-0114
§ 24.25 .....	Statement processing and Automated Clearinghouse.	1515-0167	§§ 133.12, 133.13.	Application to record a trademark.	1515-0119
§ 24.26 .....	Automated Clearinghouse Credit.	1515-0218	§§ 133.32, 133.33.	Application to record a copyright.	1515-0097
§ 103.14 .....	Disclosure by Customs of information on cargo declarations of inward vessel manifests.	1515-0124	§ 141.4 .....	Requirement to make entry unless specifically exempt.	1515-0065
Part 111 .....	Requirements that licensed customs brokers must keep current records of all accounts and all financial transactions as a broker.	1515-0100	§§ 141.81-141.83, 141.86.	Requirement as to the existence and contents of special customs invoices, special summary invoices or commercial invoices.	1515-0120
§ 111.96 .....	Users fees for Customs services.	1515-0154	§ 141.89(a) .....	Additional information on invoices for imported footwear.	1515-0047
§ 112.29(b) .....	Requirement to furnish a current list of officers, members or employees, of a customs cartage or lighterage establishment, upon request.	1515-0126	§ 142.6 .....	Name and address of manufacturer or seller.	1515-0170
§ 112.49 .....	Request by cartman or lighterman for temporary identification card pending issuance of permanent identification.	1515-0128	§ 142.42 .....	Line release application .....	1515-0181
Part 115 .....	Information to obtain certification that containers/road vehicles meet construction requirements.	1515-0145	§ 143.23 .....	Requirement to file entry summary form.	1515-0065
§ 118.11 .....	Application to establish a centralized examination station.	1515-0183	§ 147.11(c) .....	Requirement to use a special form of entry for articles entered into U.S. for exhibition purposes under the Trade Fair Act of 1959.	1515-0106
§ 122 .....	Air commerce regulations .....	1515-0153	§§ 146.6, 146.7	Procedures for activation of a foreign trade zone; procedures for zone changes, including alteration, deactivation and suspension.	1515-0151
§ 122.14 .....	Customs security areas in international airports.	1515-0153	§ 151.13(i) .....	Application and other documents relating to approval of commercial gaugers and accreditation of commercial laboratories.	1515-0155
§ 122.27 .....	Documents required aboard private aircraft.	1515-0175	§ 158.2 .....	Filing of entry summary and payment of duty for less than invoiced number of packages in shipment.	1515-0037
			§ 162.74 .....	Prior disclosure .....	1515-0212

19 CFR Section	Description	OMB control No.
Part 163 .....	General recordkeeping and record production requirements.	1515–0214
§ 177.2 .....	Requirements as to form and contents of requests for administrative rulings.	1515–0102
§ 177.5 .....	Requirement to notify Customs of a change in status of any transaction currently the subject of an administrative ruling request.	1515–0129
§ 177.11 .....	Requirement as to form and contents of requests for advice from Customs field officers or others.	1515–0103
§ 177.12 .....	Inconsistent Customs decisions.	1515–0103
§ 181.11 .....	Certificate of Origin for purposes of the North American Free Trade Agreement.	1515–0205
§§ 181.22 and 181.32.	Claim for preferential tariff treatment under the North American Free Trade Agreement.	1515–0205
§§ 181.47 and 181.53.	Claim for refund, waiver or reduction of duty under the drawback and duty deferral provisions of the North American Free Trade Agreement.	1515–0205
§ 181.64 .....	Claim for duty-free or reduced-duty treatment on repaired or altered goods under the North American Free Trade Agreement.	1515–0205
§ 181.72 .....	Submission of information in connection with origin verifications under the North American Free Trade Agreement.	1515–0205
§ 181.82 .....	Statement accompanying corrected declaration or notification of incorrect certification under the North American Free Trade Agreement.	1515–0205
§§ 181.93–181.96 and 181.102.	Submission of information in connection with requests for issuance or review of advance rulings under the North American Free Trade Agreement.	1515–0205
§§ 181.113, 181.115 and 181.116.	Submission of information in connection with the review and appeal of adverse marking decisions under the North American Free Trade Agreement.	1515–0205
§ 181.131 .....	Claim for preferential tariff treatment under the North American Free Trade Agreement.	1515–0205
§§ 191.0–191.195.	Recordkeeping and reporting requirements relating to drawbacks.	1515–0213
Part 192 .....	Exportation of Used Self-Propelled Vehicles, Vessels and Aircraft.	1515–0157

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §178.2, see the List of CFR Sections Affected in the Finding Aids section of this volume.

**PART 181—NORTH AMERICAN FREE TRADE AGREEMENT**

Sec.

181.0 Scope.

**Subpart A—General Provisions**

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**Subpart B—Export Requirements**

181.11 Certificate of Origin.

181.12 Maintenance and availability of records.

181.13 Failure to comply with requirements.

**Subpart C—Import Requirements**

181.21 Filing of claim for preferential tariff treatment upon importation.

181.22 Maintenance of records and submission of Certificate by importer.

181.23 Effect of noncompliance; failure to provide documentation regarding transshipment.

**Subpart D—Post-Importation Duty Refund Claims**

181.31 Right to make post-importation claim and refund duties.

181.32 Filing procedures.

181.33 Customs processing procedures.

**Subpart E—Restrictions on Drawback and Duty-Deferral Programs**

181.41 Applicability.

181.42 Duties and fees not subject to drawback.

181.43 Eligible goods subject to drawback.

181.44 Calculation of drawback.

181.45 Goods eligible for full drawback.

181.46 Time and place for filing drawback claim.

181.47 Completion of claim for drawback.

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181.49 Retention of records.

181.50 Liquidation and payment of drawback claims.

181.51 Prevention of improper payment of claims.

181.52 Subsequent claims for preferential tariff treatment.

181.53 Collection and waiver or reduction of duty under duty-deferral programs.

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