

§ 177.26

(4) Such further information as will enable Customs to determine if an article is a product of a specific country or instrumentality, and;

(5) If applicable, the specific procurement for which the final determination is requested.

§ 177.26 Where request filed.

The request shall be filed with the Director, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., Washington, DC 20229.

[T.D. 83-13, 48 FR 1189, Jan. 11, 1983, as amended by T.D. 99-27, 64 FR 13677, Mar. 22, 1999]

§ 177.27 Oral discussion of issues.

Any party authorized to request a ruling under the provisions of §177.23 may request an opportunity for oral discussion of the issues presented in the request. The oral discussion of issues will be governed by the provisions of §177.4.

§ 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.

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§ 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 request 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.*

United States Customs Service, Treasury

§ 178.2

§ 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.
§§ 4.10, 4.16, 4.30, 4.37, 4.39, 4.91, 10.60, 24.16, 122.29, 122.38, 123.8, 146.32, 146.34.	Application-Permit-Special License, Unlading-Lading, Overtime Services (Customs Form 3171).	1515-0013
§§ 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
§ 4.7a(c)(4)	Transportation manifest (cargo declaration).	1515-0001
§ 4.14	Vessel repair declaration and entry.	1515-0082
§ 4.37	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220
§ 4.37(c)	Preparation of delivery ticket for transfer of merchandise to general order.	1515-0224
§ 4.76	Booking information for the Sea Carrier's Module of the AES.	1515-0221
§ 4.97	Application for foreign vessel to engage in salvage operation/report of salvage operation.	515-0132
§ 7.3	Claim for duty-free entry of goods imported from U.S. insular possessions.	1515-0200
§ 10.1	Declarations covering U.S. articles exported and returned without having been advanced in value or improved in condition.	1515-0194
§ 10.8	Declarations covering articles exported for repairs or alterations and returned.	1515-0194

19 CFR Section	Description	OMB control No.
§ 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
§ 10.8a(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
§ 10.9	Declarations covering metal articles exported for processing and returned for further processing.	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
§ 10.25	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
§ 10.41b	Requirement to clearly and conspicuously mark serially numbered substantially holders or containers.	1515-0116
§ 10.41b(e)	Requirement to keep adequate records on current status of serially numbered substantial holders or containers.	1515-0101
§ 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
§ 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
§ 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
§ 10.84	Origin certificate for automotive products from Canada.	1515-0164
§ 10.99	Importation of ethyl alcohol for nonbeverage purposes.	1515-0160
§ 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

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19 CFR Section	Description	OMB control No.	19 CFR Section	Description	OMB control No.
§ 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	§ 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
§ 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	§ 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
§ 10.173	Claim for duty-free entry of eligible articles under the Generalized System of Preferences.	1515–0194	§ 19.19	Record of smelting and refining operation showing receipt and disposition of each shipment of material.	1515–0135
§ 10.184	Refund of duties on certain wool imports.	1515–0227	§ 19.40	Application for establishment of a container station.	1515–0117
§ 10.198	Claim for duty-free entry of eligible articles under the Caribbean Basin Initiative.	1515–0194	§ 19.42	Application by container station operator to transfer a container, intact, to a station.	1515–0142
§ 10.199	Claim for duty-free entry of rum beverages from Canada under the Caribbean Basin Initiative.	1515–0194	§ 19.46	List of persons employed by container station operator in moving, receiving, storing or delivering imported merchandise.	1515–0138
§ 10.207	Claim for duty-free entry of eligible articles under the Andean Trade Preference Act.	1515–0219	§ 24.5	Importer Identification Information.	1515–0199
§§ 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	§ 24.22	Users fees for Customs services.	1515–0154
§ 10.62b	Certificate of compliance for turbine fuel withdrawals.	1515–0209	§ 24.24	Harbor maintenance fee	1515–0158
§§ 12.104c, 12.104e.	Certificates and other documentation relating to the importation of items of cultural property.	1515–0147	§ 24.25	Statement processing and Automated Clearinghouse.	1515–0167
§ 12.121	Approval of blanket certification under the Toxic Substances Control Act.	1515–0173	§ 24.26	Automated Clearinghouse Credit.	1515–0218
§ 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	§ 103.31	Disclosure by Customs of information on cargo declarations of inward vessel manifests.	1515–0124
§ 12.132	Country of origin declaration covering textile and apparel goods under the North American Free Trade Agreement.	1515–0205	Part 111	Issuance of customs broker licenses and permits, monitoring performance of brokers in conducting customs business, and institution of disciplinary action against brokers.	1515–0076 and 1515–0100.
§ 19.2	Information to be supplied by owner or lessee in support of application to establish a bonded warehouse facility.	1515–0121	§ 111.96	Users fees for Customs services.	1515–0154
§ 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	§ 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
§ 19.9(a)	Preparation of delivery ticket for transfer of merchandise to general order.	1515–0224	§ 112.49	Request by cartman or lighterman for temporary identification card pending issuance of permanent identification.	1515–0128
§ 19.13(b)	Application for establishment of a manufacturing warehouse.	1515–0136	Part 113	Customs Bond Structure (Customs Form 301 and Customs Form 5297).	1515–0144
			Part 113—Appendix B.	Bond to Indemnify Complainant Under Section 337, Tariff Act of 1930, as Amended.	1515–0222
			Part 115	Information to obtain certification that containers/road vehicles meet construction requirements.	1515–0145

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19 CFR Section	Description	OMB control No.	19 CFR Section	Description	OMB control No.
§ 118.11	Application to establish a centralized examination station.	1515-0183	§§ 146.6, 146.7	Procedures for activation of a foreign trade zone; procedures for zone changes, including alteration, deactivation and suspension.	1515-0151
§ 122	Air commerce regulations	1515-0153			
§ 122.14	Customs security areas in international airports.	1515-0153			
§ 122.27	Documents required aboard private aircraft.	1515-0175	§ 151.12(f)	Application and other documents pertaining to accreditation of commercial laboratories.	1515-0155
§ 122.49a	Passenger and crew manifests.	1515-0232			
§ 122.50	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220	§ 151.13(d)	Application and other documents pertaining to approval of commercial gaugers.	1515-0155
§ 122.50(c)	Preparation of delivery ticket for transfer of merchandise to general order.	1515-0224	§ 151.16(d)	Detention of merchandise	1515-0210
§ 122.173	Application for entry into the Air Carrier Smuggling Prevention Program.	1515-0171	§ 158.2	Filing of entry summary and payment of duty for less than invoiced number of packages in shipment.	1515-0037
§ 123.10	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220	§ 159.63	Distribution of continued dumping and subsidy offset to affected domestic producers.	1515-0229
§ 123.10(c)	Preparation of delivery ticket for transfer of merchandise to general order.	1515-0224	§ 162.74	Prior disclosure	1515-0212
§ 123.73	Application to participate in the Land Border Carrier Initiative Program.	1515-0217	§§ 162.94, 162.95(c).	Petition for remission or mitigation of forfeitures and penalties incurred.	1515-0052
§§ 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	Part 163	General recordkeeping and record production requirements.	1515-0214
§ 128.11	Express consignment carrier application and approval process.	1515-0144	§ 171.11	Petition for remission or mitigation of forfeitures and penalties incurred.	1515-0052
§ 128.21	Specific description of merchandise.	1515-0069	Part 177	Issuance of administrative rulings on prospective and current customs transactions.	1515-0228
§ 128.23	Requirement of submission of Customs-approved bar-coded entry numbers for ACS processing.	1515-0069	§ 181.11	Certificate of Origin for purposes of the North American Free Trade Agreement.	1515-0205
§ 128.24	Requirement for Invoice, Advance Manifest, or Immediate Delivery application form.	1515-0069	§§ 181.22 and 181.32.	Claim for preferential tariff treatment under the North American Free Trade Agreement.	1515-0205
§ 133.2	Application to record a trademark.	1515-0114	§§ 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
§§ 133.12, 133.13.	Application to record a trade-name.	1515-0119	§ 181.64	Claim for duty-free or reduced-duty treatment on repaired or altered goods under the North American Free Trade Agreement.	1515-0205
§§ 133.32, 133.33.	Application to record a copyright.	1515-0097			
§ 141.4	Requirement to make entry unless specifically exempt.	1515-0065	§ 181.72	Submission of information in connection with origin verifications under the North American Free Trade Agreement.	1515-0205
§§ 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	§ 181.82	Statement accompanying corrected declaration or notification of incorrect certification under the North American Free Trade Agreement.	1515-0205
§ 141.89(a)	Additional information on invoices for imported footwear.	1515-0047			
§ 142.6	Name and address of manufacturer or seller.	1515-0170			
§ 142.42	Line release application	1515-0181			
§ 143.23	Requirement to file entry summary form.	1515-0065	§§ 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
§ 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			

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19 CFR Section	Description	OMB control No.
§§ 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
§ 192.2	Documentation requirements for exporting used, self-propelled vehicles, vessels and aircraft.	1515-0157

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

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 178.2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: By T.D. 03-14, 68 FR 13626, Mar. 20, 2003, § 178.2 was amended in the table by adding a new listing for § 4.94a, effective Apr. 21, 2003. For the convenience of the user, the added text is set forth as follows:

§ 178.2 Listing of OMB control numbers.

19 CFR section	Description	OMB control No.
§ 4.94a	Deferral of duty on large yachts imported for sale.	1515-0223

PART 181—NORTH AMERICAN FREE TRADE AGREEMENT

Sec.

181.0 Scope.

Subpart A—General Provisions

181.1 Definitions.

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.
- 181.48 Person entitled to receive drawback.
- 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.
- 181.54 Verification of claim for drawback, waiver or reduction of duties.

Subpart F—Commercial Samples and Goods Returned After Repair or Alteration

- 181.61 Applicability.
- 181.62 Commercial samples of negligible value.
- 181.63 [Reserved]
- 181.64 Goods re-entered after repair or alteration in Canada or Mexico.

Subpart G—Origin Verifications and Determinations

- 181.71 Denial of preferential tariff treatment dependent on origin verification and determination.
- 181.72 Verification scope and method.
- 181.73 Notification of verification visit.
- 181.74 Verification visit procedures.
- 181.75 Issuance of origin determination.
- 181.76 Application of origin determinations.

Subpart H—Penalties

- 181.81 Applicability to NAFTA transactions.
- 181.82 Exceptions to application of penalties.