

## § 54.6

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### § 54.6 Proof of intent; bond; proof of use; liquidation.

Articles predominating by weight of metal, described in § 54.5(a) shall be admitted free of duty upon compliance with the following conditions:

(a) There shall be filed in connection with the entry a statement of the importer consistent with the requirements of § 10.134 of this chapter.

(b) If the articles are entered for consumption or warehouse, a bond shall be filed on Customs Form 301, containing the bond conditions set forth in § 113.62 of this chapter. Withdrawals from warehouse shall be made on Customs Form 7501. The liquidation of the consumption or warehouse entry shall be suspended pending proof of use or other disposition of the articles within the time prescribed in paragraph (c) of this section.

(c) Within 3 years from the date of entry, or withdrawal from warehouse for consumption, the importer shall submit to the director of the port of entry, a statement from the superintendent or manager of the plant at which the articles were used in remanufacture by melting, or were processed by shredding, shearing, compacting, or similar processing which rendered them fit only for the recovery of the metal content, showing:

(1) The name and location of the plant;

(2) The entry number, date, and port of entry (if the person making the statement is not in possession of this information, a reference to invoices, purchase orders, or other documents which will identify the shipment with the entry may be substituted);

(3) The date or inclusive dates of the remanufacture or processing of the articles; and

(4) A description of the remanufacture or processing in sufficient detail to enable the port director to determine whether it constituted a use in remanufacture by melting, or processing by shredding, shearing, compacting, or similar processing which rendered the articles fit only for the recovery of the metal content. In appropriate cases, the remanufacture or processing of the articles covered by more than one entry may be included in one statement. The statement shall

be based on adequate and carefully kept plant and import records which shall be available during normal business hours to any Customs officer. The importer and plant manager shall maintain the import and plant records for 5 years from the date of the related entry of the merchandise. The burden shall be on the importer or plant manager to keep these records so that the claim of actual use can be established readily.

(d) If satisfactory proof of use of the articles in remanufacture by melting, or in processing by shredding, shearing, compacting, or similar processing which rendered them fit only for the recovery of the metal content, is furnished within the prescribed time, the entry shall be liquidated without the assessment of duty on the covered articles. If proof is not filed within 3 years from the date of entry, or withdrawal from warehouse for consumption, or the use does not warrant the classification claimed, the entry shall be liquidated without any exemption from duty under subheading 9817.00.80 or 9817.00.90, HTSUS.

As used in this section, the phrase “in connection with the entry” means any time before liquidation of the entry or within the period during which a reliquidation may be completed (§ 113.43(c)). Therefore, a claim for free entry under subheading 9817.00.80 or 9817.00.90, HTSUS, supported by a statement of intent may be filed at any time before liquidation of the entry or within the period during which a valid reliquidation may be completed.

(R.S. 251, as amended, secs. 623, as amended, 624, 46 Stat. 759, as amended (19 U.S.C. 66, 1623, 1624))

[T.D. 80-151, 45 FR 38041, June 6, 1980, as amended by T.D. 84-213, 49 FR 41170, Oct. 19, 1984; T.D. 87-75, 52 FR 20067, May 29, 1987; T.D. 89-1, 53 FR 51255, Dec. 21, 1988; T.D. 95-81, 60 FR 52295, Oct. 6, 1995]

## PART 101—GENERAL PROVISIONS

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101.5 CBP preclearance offices in foreign countries.

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AUTHORITY: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

Section 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

Section 101.5 also issued under 19 U.S.C. 1629;

Section 101.9 also issued under 19 U.S.C. 1411-1414.

SOURCE: T.D. 77-241, 42 FR 54937, Oct. 12, 1977, unless otherwise noted.

### § 101.0 Scope.

This part sets forth general regulations governing the authority of Customs officers, and the location of Customs ports of entry, service ports and Customs stations. It further sets forth regulations concerning the entry and clearance of vessels at Customs stations and a listing of Customs preclearance offices in foreign countries. In addition, this part contains provisions concerning the hours of business of Customs offices, the Customs seal, and the identification cards issued to Customs officers and employees.

[T.D. 77-241, 42 FR 54937, Oct. 12, 1977, as amended by T.D. 99-27, 64 FR 13675, Mar. 22, 1999]

### § 101.1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated unless either the context in which they are used requires a different meaning or a different definition is prescribed for a particular part or portion thereof:

*Business day.* A “business day” means a weekday (Monday through Friday), excluding national holidays as specified in § 101.6(a).

*Customs station.* A “Customs station” is any place, other than a port of entry, at which Customs officers or employees are stationed, under the authority contained in article IX of the President’s Message of March 3, 1913 (T.D. 33249), to enter and clear vessels, accept entries of merchandise, collect duties, and enforce the various provisions of the Customs

and navigation laws of the United States.

*Customs territory of the United States.* “Customs territory of the United States” includes only the States, the District of Columbia, and Puerto Rico.

*Date of entry.* The “date of entry” or “time of entry” of imported merchandise shall be the effective time of entry of such merchandise, as defined in § 141.68 of this chapter.

*Date of exportation.* “Date of exportation” or “time of exportation” shall be as defined in § 152.1(c) of this chapter.

*Date of importation.* “Date of importation” means, in the case of merchandise imported otherwise than by vessel, the date on which the merchandise arrives within the Customs territory of the United States. In the case of merchandise imported by vessel, “date of importation” means the date on which the vessel arrives within the limits of a port in the United States with intent then and there to unlade such merchandise.

*Duties.* “Duties” means Customs duties and any internal revenue taxes which attach upon importation.

*Entry or withdrawal for consumption.* “Entry or withdrawal for consumption” means entry for consumption or withdrawal from warehouse for consumption.

*Exportation.* “Exportation” means a severance of goods from the mass of things belonging to this country with the intention of uniting them to the mass of things belonging to some foreign country. The shipment of merchandise abroad with the intention of returning it to the United States with a design to circumvent provisions of restriction or limitation in the tariff laws or to secure a benefit accruing to imported merchandise is not an exportation. Merchandise of foreign origin returned from abroad under these circumstances is dutiable according to its nature, weight, and value at the time of its original arrival in this country.

*Importer.* “Importer” means the person primarily liable for the payment of any duties on the merchandise, or an authorized agent acting on his behalf. The importer may be:

- (1) The consignee, or
- (2) The importer of record, or

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(3) The actual owner of the merchandise, if an actual owner's declaration and superseding bond has been filed in accordance with § 141.20 of this chapter, or

(4) The transferee of the merchandise, if the right to withdraw merchandise in a bonded warehouse has been transferred in accordance with subpart C of part 144 of this chapter.

*Port and port of entry.* The terms "port" and "port of entry" refer to any place designated by Executive Order of the President, by order of the Secretary of the Treasury, or by Act of Congress, at which a Customs officer is authorized to accept entries of merchandise to collect duties, and to enforce the various provisions of the Customs and navigation laws. The terms "port" and "port of entry" incorporate the geographical area under the jurisdiction of a port director. (The Customs ports in the Virgin Islands, although under the jurisdiction of the Secretary of the Treasury, have their own Customs laws (48 U.S.C. 1406(i)). These ports, therefore, are outside the Customs territory of the United States and the ports thereof are not "ports of entry" within the meaning of these regulations).

*Principal field officer.* A "principal field officer" is an officer in the field service whose immediate supervisor is located at Customs Service Headquarters.

*Service port.* The term "service port" refers to a Customs location having a full range of cargo processing functions, including inspections, entry, collections, and verification.

*Shipment.* "Shipment" means the merchandise described on the bill of lading or other document used to file or support entry, or in the oral declaration when applicable.

[T.D. 77-241, 42 FR 54937, Oct. 12, 1977, as amended by T.D. 84-213, 49 FR 41170, Oct. 19, 1984; 49 FR 44867, Nov. 9, 1984; T.D. 94-51, 59 FR 30294, June 13, 1994; T.D. 95-77, 60 FR 50011, Sept. 27, 1995; T.D. 99-57, 64 FR 40987, July 28, 1999]

### § 101.2 Authority of Customs officers.

(a) *Supremacy of delegated authority.* Action taken by any person pursuant to authority delegated to him by the Secretary of the Treasury, whether di-

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rectly or by subdelegation, shall be valid despite the existence of any statute or regulation, including any provision of this chapter, which provides that such action shall be taken by some other person. Any person acting under such delegated authority shall be deemed to have complied with any statute or regulation which provides or indicates that it shall be the duty of some other person to perform such action.

(b) *Consolidation of functions.* Any reorganization of the Customs Service or consolidation of the functions of two or more persons into one office which results in the failure of a designated Customs officer to perform an action required by statute or regulation, shall not invalidate the performance of that action by any other Customs officer.

(c) *Customs supervision.* Whenever anything is required by the regulations in this chapter or by any provision of the customs or navigation laws to be done or maintained under the supervision of Customs officers, such supervision shall be carried out as prescribed in the regulations of this chapter or by instructions from the Secretary of the Treasury or the Commissioner of Customs in particular cases. In the absence of a governing regulation or instruction, supervision shall be direct and continuous or by such occasional verification as the principal Customs field officer shall direct if such officer shall determine that less intensive supervision will ensure proper enforcement of the law and protection of the revenue. Nothing in this section shall be deemed to warrant any failure to direct and furnish required supervision or to excuse any failure of a party in interest to comply with prescribed procedures for obtaining any required supervision.

[T.D. 77-241, 42 FR 54937, Oct. 12, 1977, as amended by T.D. 98-22, 63 FR 11825, Mar. 11, 1998]

### § 101.3 Customs service ports and ports of entry.

(a) *Designation of Customs field organization.* The Deputy Assistant Secretary (Regulatory, Tariff, and Trade Enforcement), pursuant to authority delegated

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by the Secretary of the Treasury, is authorized to establish, rearrange or consolidate, and to discontinue Customs ports of entry as the needs of the Customs Service may require.

(b) *List of Ports of Entry and Service Ports.* The following is a list of Customs Ports of Entry and Service Ports. Many of the ports listed were created by the President's message of March 3, 1913, concerning a reorganization of the Customs Service pursuant to the Act of

August 24, 1912 (37 Stat. 434; 19 U.S.C. 1). Subsequent orders of the President or of the Secretary of the Treasury which affected these ports, or which created (or subsequently affected) additional ports, are cited following the name of the ports.

(1) *Customs ports of entry.* A list of Customs ports of entry by State and the limits of each port are set forth below:

Ports of entry	Limits of port
<b>Alabama</b>	
Birmingham	
Huntsville .....	T.D. 83-196.
Mobile .....	Including territory described in T.D. 76-259.
<b>Alaska</b>	
Alcan .....	T.D. 71-210.
Anchorage .....	T.D.s 55295 and 68-50.
Dalton Cache .....	T.D. 79-74.
Fairbanks .....	E.O. 8064, Mar. 9, 1939 (4 FR 1191).
Juneau	
Ketchikan .....	Including territory described in T.D. 74-100.
Kodiak .....	T.D. 98-65.
Sitka .....	Including territory described in T.D. 55609.
Skagway	
Valdez .....	Including territory described in T.D. 79-201.
Wrangell .....	Including territory described in T.D. 56420.
<b>Arizona</b>	
Douglas .....	Including territory described in E.O. 9382, Sept. 25, 1943 (8 FR 13083).
Lukeville .....	E.O. 10088, Dec. 3, 1949 (14 FR 7287).
Naco	
Nogales .....	Including territory described in T.D. 77-285.
Phoenix .....	T.D. 71-103.
San Luis .....	E.O. 5322, Apr. 9, 1930.
Sasabe .....	E.O. 5608, Apr. 22, 1931.
Tucson .....	Including territory described in T.D. 89-102.
<b>Arkansas</b>	
Little Rock-North Little Rock .....	T.D. 70-146. (Restated in T.D. 84-126).
<b>California</b>	
Andrade .....	E.O. 4780, Dec. 13, 1927.
Calexico	
Eureka	
Fresno .....	Including territory described in T.D. 74-18.
Los Angeles-Long Beach .....	Including territory described in T.D. 78-130.
Port Hueneume .....	T.D. 92-10.
Port San Luis	
Sacramento .....	T.D. 35546.
San Diego .....	CBP Dec. 06-23.
San Diego .....	T.D. 85-163.
+ San Francisco-Oakland .....	CBP Dec. 06-23.
San Jose .....	95-80
Tecate .....	E.O. 4780, Dec. 13, 1927.
<b>Colorado</b>	
Denver .....	T.D. 80-180.
<b>Connecticut</b>	
Bridgeport .....	Including territory described in T.D. 68-224.
Hartford .....	Including territory described in T.D. 68-224.
New Haven .....	Including territory described in T.D. 68-224.

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New London .....	Including territory described in T.D. 68–224.
<b>Delaware</b>	
Wilmington .....	Included in the Consolidated Port of the Delaware River and Bay described in T.D. 96–4.
<b>District of Columbia</b>	
Washington .....	Including territory described in T.D. 68–67.
<b>Florida</b>	
Fernandina Beach .....	Including St. Mary's, GA; T.D. 53033.
Fort Myers .....	T.D. 99–9
Jacksonville .....	T.D. 69–45.
Key West .....	Including territory described in T.D. 53994.
Miami .....	Including territory described in T.D. 53514.
Orlando .....	T.D. 76–306.
Orlando-Sanford Airport .....	T.D. 97–64.
Panama City .....	E.O. 3919, Nov. 1, 1923.
Pensacola .....	
Port Canaveral .....	Including territory described in T.D. 66–212.
Port Everglades .....	E.O. 5770, Dec. 31, 1931; including territory described in T.D. 53514. Mail: Fort Lauderdale, FL.
Port Manatee .....	T.D. 88–14.
St. Petersburg .....	E.O. 7928, July 14, 1938 (3 FR 1749); including territory described in T.D. 53994.
Tampa .....	Including territory described in T.D. 68–91.
West Palm Beach .....	E.O. 4324, Oct. 15, 1925; including territory described in T.D. 53514.
<b>Georgia</b>	
Atlanta .....	Including territory described in T.D. 55548.
Brunswick .....	Including territory described in T.D. 86–162.
Fernandina Beach, FL .....	Including St. Mary's, GA; T.D. 53033.
Savannah .....	Including territory described in E.O. 8367, Mar. 5, 1940 (5 FR 985).
<b>Hawaii</b>	
Hilo .....	T.D. 95–11.
Honolulu .....	Including territory described in T.D. 90–59.
Kahului .....	T.D. 95–11.
Nawiliwili-Port Allen .....	E.O. 4385, Feb. 25, 1926; including territory described in T.D. 56424.
<b>Idaho</b>	
Boise .....	Pub.L. 98–573; T.D. 85–22.
Eastport .....	
Porthill .....	
<b>Illinois</b>	
+ Chicago .....	Including territory described in CBP Dec. 04–24.
Davenport, IA-Moline and Rock Island, IL .....	T.D.s 86–76 and 89–10.
Peoria .....	Including territory described in T.D.72–130.
Rockford .....	CBP Dec. 05–38.
<b>Indiana</b>	
Cincinnati, OH-Lawrenceburg, IN .....	Consolidated port, T.D. 84–91.
Indianapolis .....	
Owensboro, KY-Evansville, IN ... ..	Consolidated port, T.D. 84–91.
<b>Iowa</b>	
Davenport,IA-Moline and Rock Island, IL .....	T.D.s 86–76 and 89–10.
Des Moines .....	T.D. 75–104.
<b>Kansas</b>	
Wichita .....	T.D. 74–93.
<b>Kentucky</b>	
Louisville .....	Including territory described in T.D. 77–232.

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Ports of entry	Limits of port
Owensboro, KY-Evansville, IN ...	Consolidated port, T.D. 84-91.
<b>Louisiana</b>	
Baton Rouge .....	E.O. 5993, Jan. 13, 1933; including territory described in T.D.s 53514 and 54381. (Restated in T.D. 84-126).
Gramercy .....	T.D. 82-93.
Lake Charles .....	E.O. 5475, Nov. 3, 1930; including territory described in T.D. 54137.
Morgan City .....	T.D. 54682; including territory described in T.D.s 66-266 and 94-77. (Restated in T.D. 84-126).
New Orleans .....	E.O. 5130, May 29, 1929; including territory described in T.D. 74-206. (Restated in T.D. 84-126).
Shreveport-Bossier City .....	Including territory described in T.D. 86-145.
<b>Maine</b>	
Bangor .....	Including Brewer, ME, E.O. 9297, Feb. 1, 1943 (8 FR 1479).
Bar Harbor .....	Including Mount Desert Island, the city of Ellsworth, and the townships of Hancock, Sullivan, Sorrento, Gouldsboro, and Winter Harbor and Trenton, E.O. 4572, Jan. 27, 1927, and T.D. 78-130.
Bath .....	Including Booth Bay and Wiscasset, E.O. 4356, Dec. 15, 1925.
Belfast .....	Including Searsport, E.O. 6754, June 28, 1934.
Bridgewater .....	E.O. 8079, Apr. 4, 1939 (4 FR 1475).
Calais .....	Including townships of Calais, Robbinston, and Baring, E.O. 6284, Sept. 13, 1933.
Eastport .....	Including Lubec and Cutler, E.O. 4296, Aug. 26, 1925.
Fort Fairfield	
Fort Kent	
Houlton .....	E.O. 4156, Feb. 14, 1925.
Jackman .....	Including townships of Jackman, Sandy Bay, Bald Mountain, Holeb, Attean, Lowelltown, Dennistown, and Moose River, T.D. 54683.
Jonesport .....	Including towns (townships) of Beals, Jonesboro, Roque Bluffs, and Machiasport, E.O. 4296, Aug. 26, 1925; E.O. 8695, Feb. 25, 1941 (6 FR 1187).
Limestone	
Madawaska	
Portland .....	Including territory described in CBP Dec. 03-08.
Portsmouth, N.H. ....	Including Kittery, ME.
Rockland	
Van Buren	
Vanceboro	
<b>Maryland</b>	
Annapolis	
Baltimore .....	Including territory described in T.D. 68-123.
Cambridge .....	E.O. 3888, Aug. 13, 1923; Crisfield.
<b>Massachusetts</b>	
Boston .....	Including territory and waters adjacent thereto described in T.D. 56493.
Fall River .....	Including territory described in T.D. 54476.
Gloucester	
Lawrence .....	E.O. 5444, Sept. 16, 1930; E.O. 10088, Dec. 3, 1949 (14 FR 7287); including territory described in T.D. 71-12.
New Bedford	
Plymouth	
Salem .....	Including Beverly, Marblehead, and Lynn; including Peabody, E.O. 9207, July 29, 1942 (7 FR 5931).
Springfield .....	T.D. 69-189.
Worcester	
<b>Michigan</b>	
Battle Creek .....	T.D. 72-233.
Detroit .....	Including territory described in E.O. 9073, Feb. 25, 1942 (7 FR 1588), and T.D. 53738.
Grand Rapids .....	T.D. 77-4.
Marquette, WI .....	Including Menominee, MI.
Muskegon .....	E.O. 8315, Dec. 22, 1939 (4 FR 4941); including territory described in T.D. 56230.
Port Huron .....	Including territory described in T.D. 87-117.
Saginaw-Bay City-Flint .....	Consolidated port, T.D. 79-74; including territory described in T.D. 82-9.
Sault Ste. Marie .....	Including territory described in T.D. 79-74.
<b>Minnesota</b>	
Baudette .....	E.O. 4422, Apr. 19, 1926.
Duluth, MN and Superior, WI .....	Including territory described in T.D. 55904.

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Grand Portage .....	T.D. 56073.
International Falls-Ranier .....	Including territory described in T.D. 66–246.
Minneapolis-St. Paul .....	Including territory described in T.D. 69–15.
Pinecreek .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Roseau .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Warroad	
<b>Mississippi</b>	
Greenville .....	T.D. 73–325. (Restated in T.D. 84–126).
Gulfport	
Pascagoula .....	Including territory described in T.D. 86–68.
Vicksburg .....	T.D. 72–123; including territory described in T.D. 93–32. (Restated in T.D. 84–126).
<b>Missouri</b>	
Kansas City .....	Including Kansas City, KS and North Kansas City, MO, E.O. 8528, Aug. 27, 1940 (5 FR 3403); including territory described in T.D. 67–56.
Spirit of St. Louis Airport .....	Including territory described in T.D. 97–7.
Springfield .....	Including all territory within Greene and Christian Counties, T.D. 84–84.
St. Joseph	
St. Louis .....	CBP Dec. 09–16.
<b>Montana</b>	
Butte .....	T.D. 73–121.
Del Bonita .....	E.O. 7947, Aug. 9, 1938 (3 FR 1965); Mail: Cut Bank, MT.
Great Falls	
Morgan .....	E.O. 7632, June 15, 1937 (2 FR 1245); Mail: Loring, MT.
Opheim .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Piegan .....	E.O. 7632, June 15, 1937 (2 FR 1245); Mail: Babb, MT.
Raymond .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Roosville .....	E.O. 7632, June 15, 1937 (2 FR 1245); Mail: Eureka, MT.
Scobey .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Sweetgrass	
Turner .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Whitlash .....	E.O. 7632, June 15, 1937 (2 FR 1245).
<b>Nebraska</b>	
Omaha .....	Including territory described in T.D. 73–228.
<b>Nevada</b>	
Las Vegas .....	Including territory described in T.D. 79–74.
Reno .....	Including territory described in T.D. 73–56.
<b>New Hampshire</b>	
Portsmouth .....	Including Kittery, ME.
<b>New Jersey</b>	
Camden, Gloucester City, and Salem.	Included in the Consolidated Port of the Delaware River and Bay described in T.D. 96–4.
Perth Amboy	
<b>New Mexico</b>	
Albuquerque .....	Including territory described in T.D. 74–304.
Columbus	
Santa Teresa .....	T.D. 94–34.
<b>New York</b>	
Albany	
Alexandria Bay .....	Including territory described in E.O. 10042, Mar. 10, 1949 (14 FR 1155).
Buffalo-Niagara Falls .....	T.D. 56512.
Cape Vincent	
Champlain-Rouses Point .....	Including territory described in T.D. 67–68.
Clayton	
Massena .....	T.D. 54834.
+ New York .....	Including territory described in E.O. 4205, Apr. 15, 1925 (T.D. 40809).
Ogdensburg	
Oswego	

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Rochester Sodus Point Syracuse Trout River ..... Utica	Consolidated port includes Chateaugay and Fort Covington, T.D. 83–253.
<b>North Carolina</b>	
Beaufort-Morehead City .....	Including territory described in T.D. 87–76.
Charlotte .....	T.D. 56079.
Durham .....	E.O. 4876, May 3, 1928; including territory described in E.O. 9433, Apr. 4, 1944 (9 FR 3761), and T.D. 82–9.
Reidsville .....	E.O. 5159, July 18, 1929; including territory described in E.O. 9433, Apr. 6, 1944 (9 FR 3761).
Wilmington .....	Including townships of Northwest, Wilmington, and Cape Fear, E.O. 7761, Dec. 3, 1937 (2 FR 2679); including territory described in E.O. 10042, Mar. 10, 1949 (14 FR 1155).
Winston-Salem .....	Including territory described in T.D. 87–64.
<b>North Dakota</b>	
Ambrose .....	E.O. 5835, April 13, 1932.
Antler	
Carbury .....	E.O. 5137, June 17, 1929.
Dunseith .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Fargo .....	CBP Dec. 03–09.
Fortuna .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Hannah	
Hansboro	
Maida .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Neche	
Noonan .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Northgate	
Pembina .....	T.D. 37386, T.D. 37439 CBP Dec. 06–15.
Portal	
Sarles	
Sherwood	
St. John .....	E.O. 5835, Apr. 13, 1932.
Walhalla	
Westhope .....	E.O. 4236, June 1, 1925.
<b>Ohio</b>	
Ashtabula/Conneaut .....	Consolidated port, T.D. 77–232.
Cincinnati, OH-Lawrenceburg, IN	Consolidated port, T.D. 84–91.
Cleveland .....	Including territory described in T.D. 77–232; consolidated port, T.D. 87–123.
Columbus .....	CBP Dec. 09–35.
Dayton .....	CBP Dec. 09–19.
Toledo-Sandusky .....	Consolidated port, T.D. 84–89.
<b>Oklahoma</b>	
Oklahoma City .....	Including territory described in T.D. 66–132.
Tulsa .....	T.D. 69–142.
<b>Oregon</b>	
Astoria .....	Including territory described in T.D. 73–338.
Coos Bay .....	E.O. 4094, Oct. 28, 1924; E.O. 5193, Sept. 14, 1929; E.O. 5445, Sept. 16, 1930; E.O. 9533, Mar. 23, 1945 (10 FR 3173).
Newport	
Portland	
<b>Pennsylvania</b>	
Chester .....	Included in the Consolidated Port of the Delaware River and Bay described in T.D. 96–4.
Erie .....	Including territory described in T.D. 77–5.
Harrisburg .....	T.D. 71–233.
Lehigh Valley .....	T.D. 93–75.
Philadelphia .....	Included in the Consolidated Port of the Delaware River and Bay described in T.D. 96–4.
Pittsburgh .....	Including territory described in T.D. 67–197.
Wilkes-Barre/Scranton .....	T.D. 75–64.
<b>Puerto Rico</b>	
Aguadilla	T.D. 22305.

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Ports of entry	Limits of port
Fajardo Guanica Humacao .....	Including territory described in T.D. 70–157. E.O. 9162, May 13, 1942 (7 FR 3569). T.D. 22305. Including territory described in T.D. 54017. Including territory described in T.D. 54017.
Jobos .....	
Mayaguez .....	
Ponce .....	
San Juan .....	
<b>Rhode Island</b>	
Newport Providence .....	Including territory described in T.D. 67–3.
<b>South Carolina</b>	
Charleston .....	Including territory described in T.D. 76–142.
Columbia .....	Including all territory in Richland and Lexington Counties, T.D. 82–239.
Georgetown Greenville-Spartanburg .....	T.D. 70–148.
<b>South Dakota</b>	
Sioux Falls .....	T.D. 96–3.
<b>Tennessee</b>	
Chattanooga .....	(Restated in T.D. 84–126).
Knoxville .....	T.D. 75–128. (Restated in T.D. 84–126).
Memphis .....	CBP Dec. 04–22.
Nashville .....	(Restated in T.D. 84–126).
Tri-Cities, TN/VA .....	CBP Dec. 06–14.
<b>Texas</b>	
Amarillo .....	T.D. 75–129.
Austin .....	T.D. 81–170.
Beaumont, Orange, Port Arthur, Sabine .....	Consolidated port, T.D. 74–231; including territory described in T.D. 81–160.
Brownsville .....	Including territory described in T.D. 79–254.
Corpus Christi .....	E.O. 8288, Nov. 22, 1939 (4 FR 4691), and territory described in T.D. 78–130.
Dallas-Fort Worth .....	T.D. 73–297; T.D. 79–232; T.D. 81–170.
Del Rio Eagle Pass .....	Including territory described in T.D. 91–93.
El Paso .....	T.D. 54407, including territory described in T.D. 78–221.
Fabens .....	E.O. 4869, May 1, 1928.
Freeport .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Hidalgo .....	T.D. 85–164.
+ Houston-Galveston .....	Consolidated port includes territory lying within corporate limits of both Houston and Galveston, and remaining territory in Harris and Galveston Counties, T.D.s 81–160 and 82–15.
Laredo .....	Including territory described in T.D. 90–69.
Lubbock .....	T.D. 76–79.
Port Lavaca-Point Comfort .....	T.D. 56115.
Presidio .....	E.O. 2702, Sept. 7, 1917.
Progreso .....	T.D. 85–164.
Rio Grande City .....	Including territory described in T.D. 92–43.
Roma .....	E.O. 4830, Mar. 14, 1928.
San Antonio	
<b>Utah</b>	
Salt Lake City .....	T.D. 69–76.
<b>Vermont</b>	
Beecher Falls Burlington .....	Including town of South Burlington, T.D. 54677.
Derby Line Highgate Springs/Alburg .....	E.O. 7632, June 15, 1937 (2 FR 1245); includes territory described in T.D. 77–165.
Norton .....	T.D. 73–249.
Richford St. Albans .....	Including township of St. Albans, E.O. 3925, Nov. 13, 1923; E.O. 7632, June 15, 1937 (2 FR 1245); T.D. 77–165.
<b>Virginia</b>	
Alexandria, VA .....	T.D. 68–67.

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Ports of entry	Limits of port
Front Royal .....	T.D. 89-63.
New River Valley .....	CBP Dec. 06-10.
Norfolk-Newport News .....	Consolidated port includes waters and shores of Hampton Roads.
Richmond-Petersburg .....	Consolidated port, T.D. 68-179.
<b>Virgin Islands, U.S.</b>	
Charlotte Amalie, St. Thomas Christiansted, St. Croix Coral Bay, St. John Cruz Bay, St. John Frederiksted, St. Croix	
<b>Washington</b>	
Aberdeen .....	Including territory described in T.D.s 56229, 79-169, and 84-90.
Blaine .....	E.O. 5835, Apr. 13, 1932.
Boundary .....	T.D. 67-65.
Danville Ferry Frontier .....	T.D. 67-65.
Laurier Longview .....	Including territory described in T.D. 73-338.
Lynden .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Metairie Falls .....	E.O. 7632, June 15, 1937 (2 FR 1245).
Nighthawk .....	T.D. 39882
Oroville .....	E.O. 5206, Oct. 11, 1929.
Point Roberts .....	T.D. 78-272.
Puget Sound .....	Consolidated port includes Seattle, Anacortes, Bellingham, Everett, Friday Harbor, Neah Bay, Olympia, Port Angeles, Port Townsend, and Tacoma, T.D. 00-35.
Spokane Sumas	
<b>West Virginia</b>	
Charleston .....	T.D. 73-170 and including territory described in T.D. 73-212.
<b>Wisconsin</b>	
Ashland Duluth, MN and Superior, WI .....	Including territory described in T.D. 55904.
Green Bay .....	CBP Dec. 13-2.
Manitowoc Marinette .....	Including Menominee, MI.
Milwaukee .....	Including territory described in T.D. 72-105.
Racine .....	Including city of Kenosha and townships of Mount Pleasant and Somers, T.D. 54884.
Sheboygan	

+ Indicates Drawback unit/office.

(2) *Customs service ports.* A list of Customs service ports and the States in which they are located is set forth below:

State	Service ports
Alabama .....	Mobile.
Alaska .....	Anchorage.
Arizona .....	Nogales.
California .....	Los Angeles. LAX. San Diego. San Francisco.
Colorado .....	Denver.
Florida .....	Miami. Tampa.
Georgia .....	Savannah.
Hawaii .....	Honolulu.
Illinois .....	Chicago.
Louisiana .....	New Orleans.
Maine .....	Portland.

State	Service ports
Maryland .....	Baltimore.
Massachusetts .....	Boston.
Michigan .....	Detroit.
Minnesota .....	Duluth. Minneapolis. St. Louis.
Missouri .....	Great Falls.
Montana .....	New York/Newark.
New Jersey .....	Buffalo. Champlain. JFK. New York/Newark.
New York .....	Charlotte.
North Carolina .....	Pembina.
North Dakota .....	Cleveland.
Ohio .....	Portland.
Oregon .....	Philadelphia.
Pennsylvania .....	San Juan.
Puerto Rico .....	Providence.
Rhode Island .....	Charleston.
South Carolina .....	Dallas.
Texas .....	

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State	Service ports
Vermont .....	El Paso. Houston. Laredo.
Virginia .....	St. Albans. Dulles. Norfolk.
Virgin Islands .....	Charlotte Amalie.
Washington .....	Blaine. Seattle.
Wisconsin .....	Milwaukee.

[T.D. 95-77, 60 FR 50011, Sept. 27, 1995]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §101.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

**§ 101.4 Entry and clearance of vessels at Customs stations.**

(a) *Entry at Customs station.* A vessel shall not be entered or cleared at a Customs station, or any other place that is not a port of entry, unless entry or clearance is authorized by the director of the port under whose jurisdiction the station or place falls pursuant to the provisions of section 447, Tariff Act of 1930, as amended (19 U.S.C. 1447).

(b) *Authorization to enter.* Authorization to enter or be cleared at a Customs station shall be granted by the director of the port under whose jurisdiction the station or place falls provided the port director is notified in advance of the arrival of the vessel concerned and the following conditions are met:

(1) Such Customs supervision as may be necessary can be provided.

(2) All applicable Customs and navigation laws and regulations are complied with.

(3) The owner, master or agent of a vessel sought to be entered at a Customs station reimburses the Government for the salary and expenses of the Customs officer or employee stationed at or sent to such Customs station or other place which is not a port of entry for services rendered in connection with the entry or clearance of such vessel, and

(4) Except as otherwise provided by these regulations, the Government is reimbursed by the interested parties for the expenses, including any per diem allowed in lieu of subsistence, but not the salary of a Customs officer or employee for services rendered in con-

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nection with the entry or delivery of merchandise.

(c) *Customs stations designated.* The Customs stations and the ports of entry having supervision thereof are listed below:

Customs station	Supervisory port of entry
<b>Alaska</b>	
Barrow .....	Fairbanks.
Dutch Harbor .....	Anchorage.
Eagle .....	Alcan.
Fort Yukon .....	Fairbanks.
Haines .....	Dalton Cache.
Hyder .....	Ketchikan.
Kaktovik (Barter Island) .....	Fairbanks.
Kenai (Nikiski) .....	Anchorage.
Northway .....	Alcan.
Pelican .....	Juneau.
Petersburg .....	Wrangell.
<b>California</b>	
Campo .....	Tecate.
Otay Mesa .....	San Diego.
San Ysidro .....	San Diego.
<b>Colorado</b>	
Colorado Springs .....	Denver.
<b>Delaware</b>	
Lewes .....	Philadelphia, PA.
<b>Florida</b>	
Fort Pierce .....	West Palm Beach.
Green Cove Springs .....	Jacksonville.
Port St. Joe .....	Panama City.
<b>Indiana</b>	
Fort Wayne .....	Indianapolis.
<b>Maine</b>	
Bucksport .....	Belfast.
Coburn Gore .....	Jackman.
Daaquam .....	Jackman.
Easton .....	Fort Fairfield.
Estcourt .....	Fort Kent.
Forest City .....	Houlton.
Hamlin .....	Van Buren.
<b>Maryland</b>	
Salisbury .....	Baltimore.
<b>Massachusetts</b>	
Provincetown .....	Plymouth.
<b>Michigan</b>	
Alpena .....	Saginaw-Bay City-Flint.
Detour .....	Sault Ste. Marie.
Escanaba .....	Sault Ste. Marie.
Grand Haven .....	Muskegon.
Houghton .....	Sault Ste. Marie.
Marquette .....	Sault Ste. Marie.
Rogers City .....	Saginaw-Bay City-Flint.

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Customs station	Supervisory port of entry
<b>Minnesota</b>	
Crane Lake .....	Duluth, MN-Superior, WI.
Ely .....	Duluth, MN-Superior, WI.
Lancaster .....	Noyes.
Oak Island .....	Warroad.
<b>Mississippi</b>	
Biloxi .....	Mobile, AL.
<b>Montana</b>	
Wild Horse .....	Great Falls.
Willow Creek .....	Great Falls.
<b>New Jersey</b>	
Atlantic City .....	Philadelphia-Chester, PA and Wilmington, DE.
Port Norris .....	Philadelphia-Chester, PA and Wilmington, DE.
Tuckerton .....	Philadelphia-Chester, PA and Wilmington, DE, PA.
<b>New York</b>	
Cannons Corners .....	Champlain-Rouses Point.
Churubusco .....	Trout River.
Jamieson's Line .....	Trout River.
<b>New Hampshire</b>	
Pittsburg .....	Beecher Falls, VT.
Monticello .....	Houlton, ME.
Orient .....	Houlton, ME.
Ste. Aurelie .....	Jackman, ME.
St. Pamphile .....	Jackman, ME.
<b>New Mexico</b>	
Antelope Wells (Mail: Hachita, NM).	Columbus, NM.
<b>North Dakota</b>	
Grand Forks .....	Pembina.
Minot .....	Pembina.
<b>Ohio</b>	
Akron .....	Cleveland.
Fairport Harbor .....	Ashtabula/Conneaut.
Lorain .....	Sandusky.
Marblehead-Lakeside .....	Sandusky.
Put-in-Bay .....	Sandusky.
<b>Oklahoma</b>	
Muskogee .....	Tulsa.
<b>Texas</b>	
Amistad Dam .....	Del Rio.
Boquillas .....	Presidio.
Falcon Dam .....	Roma.
Fort Hancock .....	Fabens.
Los Ebanos .....	Rio Grande City.
Marathon .....	El Paso.
<b>Vermont</b>	
Beebe Plaine .....	Derby Line.
Canaan .....	Beecher Falls.
East Richford .....	Richford.

Customs station	Supervisory port of entry
Newport .....	Derby Line.
North Troy .....	Derby Line.
West Berkshire .....	Richford.

(d) *Temporary Customs stations.* Customs stations may be designated for a temporary time only, to provide Customs facilities where needed because of certain large-scale operations. Because these designations change from time to time they are not listed. However, current information as to the existence of such stations may be obtained from the local port director.

[T.D. 77-241, 42 FR 54937, Oct. 12, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §101.4, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

**§ 101.5 CBP preclearance offices in foreign countries.**

Listed below are the preclearance offices in foreign countries where CBP officers are located. A Director, Preclearance, located in the Office of Field Operations at CBP Headquarters, is the responsible CBP officer exercising supervisory control over all preclearance offices.

Country	CBP office
Aruba .....	Orangestad.
The Bahamas .....	Freeport. Nassau.
Bermuda .....	Kindley Field.
Canada .....	Calgary, Alberta. Edmonton, Alberta. Halifax, Nova Scotia. Montreal, Quebec. Ottawa, Ontario. Toronto, Ontario. Vancouver, British Columbia. Winnipeg, Manitoba.
Ireland .....	Dublin. Shannon.

[CBP Dec. 11-08, 76 FR 22805, Apr. 25, 2011]

**§ 101.6 Hours of business.**

Except as specified in paragraphs (a) through (g) of this section, each CBP office shall be open for the transactions of general CBP business between the hours of 8:30 a.m. and 5 p.m. on all days of the year:

(a) *Saturdays, Sundays and national holidays.* In addition to Saturdays, Sundays, and any other calendar day

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designated as a holiday by Federal statute or Executive Order, CBP offices shall be closed on the following national holidays:

- (1) The first day of January.
- (2) The third Monday of January.
- (3) The third Monday of February.
- (4) The last Monday of May.
- (5) The fourth day of July.
- (6) The first Monday of September.
- (7) The second Monday of October.
- (8) The eleventh day of November.
- (9) The fourth Thursday of November.
- (10) The twenty-fifth day of December.

If a holiday falls on Saturday, the day immediately preceding such Saturday will be observed. If a holiday falls on Sunday, the day immediately following such Sunday will be observed. (5 U.S.C. 6103(b)(1)); (E.O. No. 11582, Jan. 1, 1971; 34 FR 2957; 3 CFR Ch. 11)

(b) *Local conditions requiring different hours.* If, because of local conditions, different but equivalent hours are required to maintain adequate service, such hours shall be observed provided the Commissioner of Customs and Border Protection approves them and provided further that a notice of business hours is prominently displayed at the principal entrance and in each public room of the CBP office.

(c) *Fixing of hours.* At each port or station where there is no full-time CBP employee, the port director shall fix the hours during which the CBP office will be open for the transaction of general CBP business. Notice of such hours shall be prominently displayed at the principal entrance of the office.

(d) *State and local holidays.* Each CBP office shall be open for the transaction of business on all State and local holidays occurring on days other than Saturdays, Sundays, and national holidays listed in paragraph (a) of this section. The appropriate principal field officer may excuse any employee(s) without charge to leave when a state or local holiday interferes with the performance of his work in a CBP office.

(e) *Services performed outside a CBP office.* CBP services required to be performed outside a CBP office shall be furnished between the hours of 8 a.m. and 5 p.m. (or between the corresponding hours at ports where different but equivalent hours are re-

quired for the maintenance of adequate service) on all days when the CBP office is open for the transaction of general CBP business.

(f) *CBP services not within prescribed hours.* Where there is a regularly recurring need for CBP services outside the hours prescribed in paragraphs (a) through (e) of this section and the volume and duration of the required services are uniformly such as to require, of themselves or in immediately consecutive combination with other essential CBP activities of the port, the full time of one or more CBP employees, the necessary number of regular tours of duty to furnish such services on all days of the year except Sundays and national holidays may be established with the approval of the Commissioner of CBP.

(g) *CBP services furnished private interests.* Other than as specified in this section, CBP services shall be furnished private interests only in accordance with the provisions of §24.16 of this chapter.

[T.D. 77-241, 42 FR 54937, Oct. 12, 1977, as amended by T.D. 82-145, 47 FR 35478, Aug. 16, 1982; T.D. 95-77, 60 FR 50019, Sept. 27, 1995; CBP Dec. 08-25, 73 FR 40726, July 16, 2008]

### § 101.7 Customs seal.

(a) *Design.* According to the design furnished by the Department of the Treasury, the Customs seal of the United States shall consist of the seal of the Department of the Treasury surrounded by an outer circle in which appear the words "Treasury" at the top and "U.S. Customs Service" at the bottom.

(b) *Use of the Customs seal.* The Customs seal currently in official use, including the dies, rolls, plates, and like devices now in the possession of the Bureau of Engraving and Printing, shall continue to be equally effective as the official seal of the United States Customs Service and shall continue to be so used by each Customs officer and employee having possession of the seal until that particular device requires replacing and is replaced. Use of the United States Customs seal shall be restricted in the following manner:

- (1) The Customs seal of the United States shall be impressed upon all official documents requiring the impress

of a seal. It shall be impressed upon all marine documents and landing certificates, certificates of weight, gauge, or measure, and similar classes of documents for outside interests.

(2) The impress of the seal is not necessary on documents passing within the Customs Service nor shall the seal be used in the manner of a notary seal to indicate authority to administer oaths.

#### § 101.8 Identification cards.

Each Customs employee shall be issued an appropriate identification card with that employee's photograph and signature, signed by the appropriate issuing officer.

#### § 101.9 Test programs or procedures; alternate requirements.

(a) *General testing.* For purposes of conducting a test program or procedure designed to evaluate the effectiveness of new technology or operational procedures regarding the processing of passengers, vessels, or merchandise, the Commissioner of CBP may impose requirements different from those specified in the CBP Regulations, but only to the extent that such different requirements do not affect the collection of the revenue, public health, safety, or law enforcement. The imposition of any such different requirements will be subject to the following conditions:

(1) *Defined purpose.* The test is limited in scope, time, and application to such relief as may be necessary to facilitate the conduct of a specified program or procedure;

(2) *Prior publication requirement.* Whenever a particular test allows for deviation from any regulatory requirements, notice will be published in the FEDERAL REGISTER not less than thirty days prior to implementing such test, followed by publication in the Customs Bulletin. The notice will invite public comments concerning the methodology of the test program or procedure, and inform interested members of the public of the eligibility criteria for voluntary participation in the test and the basis for selecting participants.

(b) *NCAP testing.* For purposes of conducting an approved test program or procedure designed to evaluate planned components of the National Customs

Automation Program (NCAP), as described in section 411(a)(2) of the Tariff Act of 1930, as amended (19 U.S.C. 1411), the Commissioner of CBP may impose requirements different from those specified in the CBP Regulations, but only to the extent that such different requirements do not affect the collection of the revenue, public health, safety, or law enforcement. In addition to the requirement of paragraph (a)(1) of this section, the imposition of any such different requirements will be subject to the following conditions:

(1) *Prior publication requirement.* For tests affecting the NCAP, notice will be published in the FEDERAL REGISTER not less than thirty days prior to implementing such test, followed by publication in the Customs Bulletin. The notice will invite public comments concerning any aspect of the test program or procedure, and inform interested members of the public of the eligibility criteria for voluntary participation in the test and the basis for selecting participants; and,

(2) *Post publication requirement.* Within a reasonable time period following the completion of the test, a complete description of the results will be published in both the FEDERAL REGISTER and the Customs Bulletin.

[T.D. 95-21, 60 FR 14214, Mar. 16, 1995, as amended by CBP Dec. 12-21, 77 FR 73309, Dec. 10, 2012]

## PART 102—RULES OF ORIGIN

Sec.

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102.1 Definitions.

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