

### § 1710. Separability

If any clause, sentence, paragraph, or part of this Act, or the application thereof to any person, or circumstances, is held invalid, the application thereof to other persons, or circumstances, and the remainder of the Act, shall not be affected thereby.

(Aug. 5, 1935, ch. 438, title IV, § 402, 49 Stat. 529.)

#### REFERENCES IN TEXT

This Act, referred to in text, means act Aug. 5, 1935, which enacted this chapter and sections 1432a and 1601a of this title and amended sections 70, 483, 1401, 1434, 1436, 1441, 1581, 1584, 1585, 1586, 1587, 1591, 1592, 1615, 1619, 1621 of this title, sections 60, 106, and 288 of former Title 46, Shipping, and sections 91, 277, 319, 325 of Title 46, Appendix. For complete classification of this Act to the Code, see Tables.

### § 1711. Citation of chapter

This Act may be cited as the "Anti-Smuggling Act".

(Aug. 5, 1935, ch. 438, title IV, § 403, 49 Stat. 529.)

#### REFERENCES IN TEXT

This Act, referred to in text, means act Aug. 5, 1935, which enacted this chapter and sections 1432a and 1601a of this title and amended sections 70, 483, 1401, 1434, 1436, 1441, 1581, 1584, 1585, 1586, 1587, 1591, 1592, 1615, 1619, 1621 of this title, sections 60, 106, and 288 of former Title 46, Shipping, and sections 91, 277, 319, 325 of Title 46, Appendix. For complete classification of this Act to the Code, see Tables.

## CHAPTER 6—TRADE FAIR PROGRAM

Sec.	
1751.	Designation of fairs. <ol style="list-style-type: none"> <li>(a) Notice to Secretary of the Treasury.</li> <li>(b) Definitions.</li> <li>(c) Regulations.</li> </ol>
1752.	Entry of articles for fairs.
1753.	Disposition of articles entered for fairs. <ol style="list-style-type: none"> <li>(a) Disposition upon payment of duties and taxes.</li> <li>(b) Disposition without payment of duties or taxes.</li> <li>(c) Mandatory abandonment to Government.</li> <li>(d) Period for performance of certain acts.</li> </ol>
1754.	Marking, packaging, and labeling requirements. <ol style="list-style-type: none"> <li>(a) Marking requirements of the customs laws.</li> <li>(b) Packaging, marking, or labeling requirements of the internal-revenue laws or the Federal Alcohol Administration Act.</li> </ol>
1755.	Responsibilities of fair operator. <ol style="list-style-type: none"> <li>(a) Sole consignee and importer.</li> <li>(b) Reimbursement of customs charges and expenses.</li> </ol>
1756.	Regulations.

### § 1751. Designation of fairs

#### (a) Notice to Secretary of the Treasury

When the Secretary of Commerce is satisfied that the public interest in promoting trade will be served by allowance of the privileges provided for in this chapter to any fair to be held in the United States, he shall so advise the Secretary of the Treasury, designating (1) the name of the fair, (2) the place where the fair will be held, (3)

the date when the fair will open and the date when it will close, and (4) the name of the operator of the fair.

#### (b) Definitions

For purposes of this chapter—

(1) The term "fair" means any fair, exhibition, or exposition designated by the Secretary of Commerce pursuant to this section.

(2) The term "closing date" in the case of any fair means the date designated pursuant to subsection (a)(3) of this section as the date when the fair will close, or (if earlier) the date on which such fair actually closes.

#### (c) Regulations

The Secretary of Commerce may prescribe such regulations as he deems necessary or appropriate to carry out the provisions of this section.

(Pub. L. 86-14, § 2, Apr. 22, 1959, 73 Stat. 18.)

#### SHORT TITLE

Section 1 of Pub. L. 86-14 provided: "This Act [enacting this chapter] may be cited as the 'Trade Fair Act of 1959'."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1755 of this title.

### § 1752. Entry of articles for fairs

Any article imported or brought into the United States—

(1) which is in continuous customs custody, covered by a customs exhibition bond, or in a foreign trade zone, and

(2) on which no duty or internal-revenue tax has been paid,

may, without payment of any duty or internal-revenue tax, be entered under bond under this section for the purpose of exhibition at a fair, or for use in constructing, installing, or maintaining foreign exhibits at a fair.

(Pub. L. 86-14, § 3, Apr. 22, 1959, 73 Stat. 18.)

#### 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.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1753, 1754, 1755 of this title.

### § 1753. Disposition of articles entered for fairs

#### (a) Disposition upon payment of duties and taxes

At any time before, or within 3 months after, the closing date of any fair, any article entered for such fair under section 1752 of this title may be sold or otherwise disposed of within, or may be removed from, the area of such fair. This subsection shall apply only if, before such disposition or removal—

(1) the article, after the entry for such fair under section 1752 of this title, has been entered under any provision of the customs laws, and

(2) any applicable duties and internal-revenue taxes are paid on such article in its condi-

tion and quantity, and at the rate in effect, at the time of such entry as if such article were imported or brought into the United States at the time of such entry.

**(b) Disposition without payment of duties or taxes**

At any time before, or within 3 months after, the closing date of any fair, any article entered for such fair under section 1752 of this title may, without the payment of any duties or internal-revenue taxes, be—

- (1) exported,
- (2) transferred from such fair to other customs custody status or to a foreign-trade zone,
- (3) destroyed, or
- (4) abandoned to the Government.

**(c) Mandatory abandonment to Government**

If any article entered under section 1752 of this title is still in customs custody, under such entry, at the expiration of 3 months after the closing date of the fair for which it was entered, such article shall thereupon be regarded as an article abandoned to the Government and shall be subject to sale or destruction of the article and disposition of the proceeds of sale in the manner provided for in sections 1491, 1492, and 1493 of this title. For purposes of this subsection, any duties or internal-revenue taxes on the article shall be computed on the basis of its condition and quantity at the time it becomes subject to sale.

**(d) Period for performance of certain acts**

Whenever any article entered under section 1752 of this title is transferred pursuant to subsection (b)(2) of this section or entered under subsection (a) of this section, the period prescribed for the performance of any act required by the provision governing the status to which the article is transferred, or under which the article is entered, shall run from the date of such transfer or entry.

(Pub. L. 86-14, § 4, Apr. 22, 1959, 73 Stat. 18.)

REFERENCES IN TEXT

The customs laws, referred to in subsec. (a)(1), are classified generally to this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1754 of this title.

**§ 1754. Marking, packaging, and labeling requirements**

**(a) Marking requirements of the customs laws**

Articles entered under section 1752 of this title shall not be subject to any marking requirements of the customs laws, except that when any such article is entered for consumption under section 1753 of this title it shall not be released from customs custody until the marking requirements of the customs laws have been complied with.

**(b) Packaging, marking, or labeling requirements of the internal-revenue laws or the Federal Alcohol Administration Act**

Articles entered under section 1752 of this title shall not be subject to the packaging, marking, or labeling requirements of the internal-revenue laws or of the Federal Alcohol Administration

Act [27 U.S.C. 201 et seq.], except that any such article failing to comply with such requirements—

(1) shall be conspicuously marked prior to exhibition “Not labeled or packaged as required by law—not for sale”, and

(2) when entered for consumption under section 1753 of this title, shall not be released from customs custody until such packaging, marking, and labeling requirements have been complied with.

The application of the permit requirements of the Federal Alcohol Administration Act and the occupational taxes prescribed by chapter 51 of the Internal Revenue Code of 1986 shall be determined without regard to this chapter.

(Pub. L. 86-14, § 5, Apr. 22, 1959, 73 Stat. 19; Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095.)

REFERENCES IN TEXT

The customs laws, referred to in subsec. (a), are classified generally to this title.

The internal-revenue laws, referred to in subsec. (b), are classified generally to Title 26, Internal Revenue Code.

The Federal Alcohol Administration Act, referred to in subsec. (b), is act Aug. 29, 1935, ch. 814, 49 Stat. 977, as amended, which is classified generally to subchapter I (§201 et seq.) of chapter 8 of Title 27, Intoxicating Liquors. For complete classification of this Act to the Code, see section 201 of Title 27 and Tables.

Chapter 51 of the Internal Revenue Code of 1986, referred to in subsec. (b), is classified to section 5001 et seq. of Title 26, Internal Revenue Code.

AMENDMENTS

1986—Subsec. (b). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

**§ 1755. Responsibilities of fair operator**

**(a) Sole consignee and importer**

Each fair operator designated by the Secretary of Commerce pursuant to section 1751 of this title shall be deemed the sole consignee and importer of all articles entered under section 1752 of this title for the fair for which such operator has been designated.

**(b) Reimbursement of customs charges and expenses**

The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, custody, abandonment, destruction, or release of articles entered under section 1752 of this title, together with the necessary charges for salaries of customs officers and employees in connection with the accounting for, custody of, and supervision over, such articles, shall be reimbursed to the United States by the operator of the fair for which they are entered. Receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 1524 of this title.

(Pub. L. 86-14, § 6, Apr. 22, 1959, 73 Stat. 19.)

**§ 1756. Regulations**

The Secretary of the Treasury may prescribe such regulations as may be necessary or appropriate to carry out the provisions of this chapter (other than section 1751 thereof).

(Pub. L. 86-14, §7, Apr. 22, 1959, 73 Stat. 19.)

**CHAPTER 7—TRADE EXPANSION PROGRAM**

## SUBCHAPTER I—GENERAL PROVISIONS

- Sec.  
1801. Statement of purposes.  
1802 to 1805. Repealed.  
1806. Definitions.

## SUBCHAPTER II—TRADE AGREEMENTS

## PART I—GENERAL AUTHORITY

1821. Basic authority for trade agreements.  
    (a) Determination by President; trade agreements; modification or continuance of existing duties.  
    (b) Restrictions on decrease or increase in rate of duty.  
1822. Repealed.  
1823. Waiver of limitation on decrease in duty and negotiation and staging requirements for dicyandiamide and limestone.

## PART II—EUROPEAN ECONOMIC COMMUNITY

1831 to 1833. Repealed.

## PART III—REQUIREMENTS CONCERNING NEGOTIATIONS

1841 to 1846. Repealed.

## PART IV—NATIONAL SECURITY

1861. Repealed.  
1862. Safeguarding national security.  
    (a) Prohibition on decrease or elimination of duties or other import restrictions if such reduction or elimination would threaten to impair national security.  
    (b) Investigations by Secretary of Commerce to determine effects on national security of imports of articles; consultation with Secretary of Defense and other officials; hearings; assessment of defense requirements; report to President; publication in Federal Register; promulgation of regulations.  
    (c) Adjustment of imports; determination by President; report to Congress; additional actions; publication in Federal Register.  
    (d) Domestic production for national defense; impact of foreign competition on economic welfare of domestic industries.  
    (d) Report by Secretary of Commerce.  
    (f) Congressional disapproval of Presidential adjustment of imports of petroleum or petroleum products; disapproval resolution.

1863. Repealed.  
1864. Import sanctions for export violations.

## PART V—ADMINISTRATIVE PROVISIONS

1871. Repealed.  
1872. Interagency trade organization.  
    (a) Establishment; functions; membership and composition; participation of representatives of other agencies; meetings.  
    (b) Duties.  
    (c) Use of resources of agencies; procedures and committees.  
1873. Repealed.

## PART VI—GENERAL PROVISIONS

1881. Normal trade relations.  
1882 to 1884. Repealed.

- Sec.  
1885. Termination of proclamations.  
1886. Repealed.  
1887. Limitation on imports under section 624 of title 7.  
1888. References in other laws.

## SUBCHAPTER III—TARIFF ADJUSTMENT AND OTHER ADJUSTMENT ASSISTANCE

## PART I—ELIGIBILITY FOR ASSISTANCE

1901, 1902. Repealed.

## PART II—ADJUSTMENT ASSISTANCE TO FIRMS

- 1911 to 1915. Repealed.  
1916. Administration of financial assistance; recording of mortgages.  
    (a) Guarantees, agreements for deferred participation, and loans.  
    (b) Mortgages.  
1917. Repealed.  
1918. Protective provisions.  
    (a) Maintenance of records by recipients of assistance.  
    (b) Access to books, documents, papers, and records for purpose of audit and examination.  
    (c) Certification of names and fees of attorneys, agents, and other persons engaged for purpose of expediting applications for assistance.  
    (d) Agreement with respect to employment of persons who occupied a position, or engaged in activities which the Secretary of Commerce determines involved discretion.  
1919. Penalties.  
1920. Suits by and against Secretary of Commerce.

## PART III—ADJUSTMENT ASSISTANCE TO WORKERS

1931. Repealed.

## SUBPART A—TRADE READJUSTMENT ALLOWANCES

1941 to 1944. Repealed.

## SUBPART B—TRAINING

1951, 1952. Repealed.

## SUBPART C—RELOCATION ALLOWANCES

1961 to 1963. Repealed.

## SUBPART D—GENERAL PROVISIONS

1971 to 1978. Repealed.

## PART IV—TARIFF ADJUSTMENT

1981. General authority.  
    (a) Proclamation of increase in, or imposition of, any duty or other import restriction; report to the Congress; adoption of resolution of approval; request for additional information.  
    (b) Maximum rate of increase.  
    (c) Reduction, termination, or extension of increase in, or imposition of, any duty or other import restriction.  
    (d) Review of developments with respect to industries concerned; annual report to President; advice of probable economic effect; considerations; investigations; hearings.  
    (e) Conformity of trade agreements with this section.  
1982. Marketing agreements.  
    (a) Negotiations.  
    (b) Regulations governing entry or withdrawal from warehouse.

## PART V—ADVISORY BOARD

1991. Repealed.