

United States Customs Service, Treasury

§ 147.2

- 147.14 Articles not to be immediately entered and delivered to a fair.
147.15 Tentative appraisement.

Subpart C—Requirements of Other Laws

- 147.21 Marking under the Tariff Act of 1930.
147.22 Compliance with internal revenue laws and Federal Alcohol Administration Act.
147.23 Compliance with Plant Quarantine Act and Federal Food, Drug, and Cosmetic Act.
147.24 Merchandise subject to licensing.

Subpart D—Customs Supervision

- 147.31 Articles to be kept separate.
147.32 Detail of officers to protect the revenue.
147.33 Reimbursement by fair operator.

Subpart E—Disposition of Articles Entered for Fairs

- 147.41 Removal or disposition pursuant to regulation.
147.42 Disposition generally.
147.43 Entry under the Customs laws.
147.44 Entry for another fair.
147.45 Merchandise from a foreign-trade zone.
147.46 Voluntary abandonment or destruction.
147.47 Mandatory abandonment.

AUTHORITY: 19 U.S.C. 66, 1623, 1624, 1751–1756, unless otherwise noted.

SOURCE: T.D. 70–134, 35 FR 9268, June 13, 1970, unless otherwise noted.

§ 147.0 Scope.

This part governs the entry of merchandise intended for exhibition or for use in constructing, installing, or maintaining foreign exhibits at trade fairs which have been so designated by the Secretary of Commerce. It also contains provisions concerning Customs supervision of the merchandise, and the disposition of the merchandise after the fair has closed. The entry of articles which may be admitted free of duty under other provisions of this chapter may be governed by those provisions rather than the regulations in this part.

Subpart A—General Provisions

§ 147.1 Definitions.

The following are general definitions for the purposes of part 147:

(a) *The Act*. “The Act” means the Trade Fair Act of 1959. (Secs. 2–7, 73 Stat. 18, 19; 19 U.S.C. 1751–1756.)

(b) *Fair*. “Fair” means a fair, exhibition, or exposition designated by the Secretary of Commerce pursuant to the Trade Fair Act.

(c) *Fair operator*. “Fair operator” means the party named by the Secretary of Commerce as the operator of the fair.

(d) *Port*. “Port” means the port at which the fair is to be held, or if the fair is not to be held within the limits of a port, the port nearest to the location of the fair.

(e) *Closing date*. “Closing date” means the date designated by the Secretary of Commerce as the date when the fair will close, including any extension granted by the Secretary of Commerce, or, if the fair closes earlier, the date on which the fair actually closes.

(f) *Articles for a fair*. “Articles for a fair” includes, but is not limited to:

- (1) Actual exhibit items;
- (2) Pamphlets, brochures, and explanatory material in reasonable quantities relating to foreign exhibits at a fair;
- (3) Material for use in constructing, installing, or maintaining foreign exhibits at a fair.

[T.D. 70–134, 35 FR 9268, June 13, 1970, as amended by T.D. 82–145, 47 FR 35478, Aug. 16, 1982]

§ 147.2 Articles which may be entered for a fair.

(a) *General*. Any article imported or brought into the United States may be entered under bond under the regulations of this part for the purpose of exhibition at a fair, or for use in constructing, installing, or maintaining foreign exhibits at a fair, if no duty or internal revenue tax has been paid, and the article is:

- (1) In a foreign-trade zone; or
- (2) Imported for exhibition under Chapter 98, Subchapter XII, Harmonized Tariff Schedule of the United States; or
- (3) In continuous Customs custody, including but not limited to articles:

(i) Imported or brought into the United States for the purpose of direct entry at a particular fair;

- (ii) In Customs bonded warehouses;

§ 147.3

(iii) Unentered under the Customs laws and held in general order pending entry or exportation;

(iv) On exhibition at another fair designated by the Secretary of Commerce.

(b) *Exception.* Articles which have been entered under Chapter 98, Subchapter XIII, HTSUS, may not be entered under the regulations of this part.

[T.D. 70-134, 35 FR 9268, June 13, 1970, as amended by T.D. 84-213, 49 FR 41186, Oct. 19, 1984; T.D. 89-1, 53 FR 51263, Dec. 21, 1988]

§ 147.3 Bond required.

The fair operator shall file a bond on Customs Form 301, containing the bond conditions set forth in §113.62 of this chapter in such amount as the port director requires. Liquidated damages shall be assessed by the port director under the bond if payments required by §§147.33, 147.41 or 147.43 are not paid upon demand.

[T.D. 84-213, 49 FR 41186, Oct. 19, 1984]

Subpart B—Procedure for Importation

§ 147.11 Entry.

(a) *Made in name of fair operator.* All entries of articles for a fair shall be made at the port in the name of the fair operator which shall be deemed for Customs purposes the sole consignee of the merchandise entered under the Act and responsible to the Government for all duties and charges due the United States on account of such entries.

(b) *Merchandise arriving at port other than port of the fair.* Articles to be entered under this subpart which arrive at ports other than the port of the fair shall be entered for immediate transportation without appraisalment to the latter port in the manner prescribed in part 18 of this chapter.

(c) *Form of entry.* Articles shall be entered upon arrival at the port of the fair on a special form of entry to read substantially as follows:

ENTRY FOR EXHIBITION

Entry No. _____

Entry at the port of _____
of articles consigned or transferred to _____
(Fair operator) under _____

19 CFR Ch. I (4-1-01 Edition)

_____ I.T. No.
_____ ex S.S.
_____ from
_____ on the
day of _____, 19____, for exhibition purposes under the Trade Fair Act of 1959.

| Mark | Number | Package and contents | Quality | Invoice value |
|-------|--------|----------------------|---------|---------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

(Fair operator)

By _____

(d) *Supersedes previous entry.* When entry for a fair is made under this part, such entry shall supersede any previous entry.

§ 147.12 Invoices.

Articles intended for a fair under the provisions of the Act are subject to the invoice requirements of subpart F, part 141 of this chapter.

(R.S. 251, as amended, secs. 481, 484, 624, 46 Stat. 719, 722, as amended, 759 (19 U.S.C. 66, 1481, 1484, 1624))

[T.D. 85-39, 50 FR 9612, Mar. 11, 1985]

§ 147.13 Transfer to fair building.

(a) *Immediate delivery.* The provisions governing immediate delivery in part 142 of this chapter are applicable to articles for a fair.

(b) *After entry.* Upon the entry being made, a permit may be issued by the port director for the transfer of the articles covered thereby to the buildings in which they are to be exhibited or used, or, in his discretion, to the public stores for examination and subsequent delivery to the buildings in which they are to be exhibited or used.

[T.D. 70-134, 35 FR 9268, June 13, 1970, as amended by T.D. 73-175, 38 FR 17470, July 2, 1973]

§ 147.14 Articles not to be immediately entered and delivered to a fair.

(a) *Placed in bonded warehouses.* If for any reason articles imported for a fair are not to be entered and delivered to a fair upon their arrival, the fair operator should request the port director, in writing, to cause such articles to be placed in a bonded warehouse under a