

§ 118.22

§ 118.22 Notice of immediate suspension or proposed revocation and cancellation action.

Adverse action pursuant to the provisions of §118.21(a) or (b) is initiated when the port director serves written notice on the operator or entity selected to operate the CES. The notice shall be in the form of a statement specifically setting forth the grounds for the adverse action and shall inform the operator of the appeal procedures under §118.23 of this part.

[T.D. 96-57, 61 FR 39071, July 26, 1996]

§ 118.23 Appeal to the Assistant Commissioner; procedure; status of CES operations.

(a) *Appeal to the Assistant Commissioner.* Appeal of a port director's decision under §118.21(a) or (b) must be filed with the Assistant Commissioner, Office of Field Operations, within 10 calendar days of receipt of the written notice of the adverse action. The appeal shall be filed in duplicate and shall set forth the CES operator's or entity's responses to the grounds specified by the port director in his written notice letter for the adverse action initiated. The Assistant Commissioner, Office of Field Operations, or his designee, shall render a written decision to the CES operator or entity, stating the reasons for the decision, by letter mailed within 30 working days following receipt of the appeal, unless the period for decision is extended with due notification to the CES operator or entity.

(b) *Status of CES operations during appeal.* During this appeal period, an immediate suspension of a CES operator's or entity's selection and written agreement pursuant to §118.21(a) of this part shall remain in effect. A proposed revocation of a CES operator's or entity's selection and cancellation of the written agreement pursuant to §118.21(b)(1) through (5) of this part shall not take effect unless the appeal process under this paragraph has been concluded with a decision adverse to the operator.

(c) *Effect of suspension or revocation.* Once a suspension or revocation action takes effect, the CES operator must cease CES operations. However, when CES operations are suspended or revoked and cancelled by Customs, it is

19 CFR Ch. I (4-1-02 Edition)

the CES operator's responsibility to ensure that merchandise already at the CES is properly consigned to another location for inspection, as directed by the importer and approved by the port director.

[T.D. 96-57, 61 FR 39071, July 26, 1996]

PART 122—AIR COMMERCE REGULATIONS

Sec.
122.0 Scope

Subpart A—General Definitions and Provisions

- 122.1 General definitions.
- 122.2 Other Customs laws and regulations.
- 122.3 Availability of forms.
- 122.4 English language required.
- 122.5 Reproduction of Customs forms.

Subpart B—Classes of Airports

- 122.11 Designation as international airport.
- 122.12 Operation of international airports.
- 122.13 List of international airports.
- 122.14 Landing rights airport.
- 122.15 User fee airports.

Subpart C—Private Aircraft

- 122.21 Application.
- 122.22 Notice of arrival.
- 122.23 Private aircraft arriving from areas south of the U.S.
- 122.24 Landing requirements.
- 122.25 Exemption from special landing requirements.
- 122.26 Entry and clearance.
- 122.27 Documents required.
- 122.28 Private aircraft taken abroad by U.S. residents.
- 122.29 Arrival fee and overtime services.
- 122.30 Other Customs laws and regulations.

Subpart D—Landing Requirements

- 122.31 Notice of arrival.
- 122.32 Aircraft required to land.
- 122.33 Place of first landing.
- 122.35 Emergency or forced landing.
- 122.36 Responsibility of aircraft commander.
- 122.37 Precleared aircraft.
- 122.38 Permit and special license to unlade and lade.

Subpart E—Aircraft Entry and Entry Documents

- 122.41 Aircraft required to enter.
- 122.42 Aircraft entry.
- 122.43 General declaration.