

§ 128.24

when the advance manifest requirements of §128.21(a) of this part have been met.

(c) *Exception.* Articles specifically exempt from entry by §141.4(b) of this chapter need not satisfy the general rule as set forth in paragraph (a) of this section.

[T.D. 94-51, 59 FR 30294, June 13, 1994]

§ 128.24 Informal entry procedures.

(a) *Eligibility.* Informal entry procedures may generally be used for shipments not exceeding \$2,000 in value which are imported by express consignment operators and carriers. Individual shipments valued at \$2,000 or less may be consolidated on one entry. Such procedures, however, may not be used for prohibited or restricted merchandise, merchandise which is subject to a quota or other quantitative restraints, or for any articles precluded from informal entry procedures by virtue of section 498, Tariff Act of 1930, as amended, (19 U.S.C. 1498).

(b) *Procedures.* Customs Form 3461, appropriately modified to cover all importations under the special procedures contained in this part, shall be submitted prior to the commencement of hub or express consignment carrier facility operations. The party who may make entry under §143.26 of this chapter may submit a copy of the invoice or the advance manifest as described in §128.21 in lieu of other control documents.

(c) *Alternative procedure.* The party who may make entry under §143.26 of this chapter may be required to submit an individual Customs Form 3461 covering the eligible shipments on a daily basis or by flight basis. Commercial invoices or advance manifests shall be attached to the Customs Form 3461 which will contain the entry number and such other information deemed necessary by the port director. A notation shall be placed on the Customs Form 3461 that the entry covers multiple shipments.

(d) *Entry summary.* An entry summary (Customs Form 7501) must be presented in proper form, and estimated duties deposited within 10 days of the release of the merchandise under either the regular or alternative procedure described in this section. However, see

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paragraph (e) of this section if the shipment is valued at \$200 or less.

(e) *Shipments valued at \$200 or less.* Shipments valued at \$200 or less meeting the requirements of §10.151 of this chapter shall be passed free of duty and tax. Such shipments must be segregated on the manifest from shipments valued at more than \$200 if an advance manifest is used as the entry document, as provided for in §128.21. If such an advance manifest is used as the entry document, the following are not required to be provided for shipments qualifying under this paragraph:

(1) The Harmonized Tariff Schedule of the United States (HTSUS) sub-heading number (see §128.21(a)(4)); and

(2) An entry summary (see paragraph (d) of this section).

[T.D. 89-53, 54 FR 19566, May 8, 1989, as amended by T.D. 94-51, 59 FR 30294, June 13, 1994; T.D. 95-31, 60 FR 18991, Apr. 14, 1995; T.D. 98-28, 63 FR 16417, Apr. 3, 1998]

§ 128.25 Formal entry procedures.

Formal entry, as provided for under 19 U.S.C. 1484 in parts 141, 142, and 143 (except for subpart C), of this chapter, is required for all shipments exceeding the monetary limitation for informal entry (see §128.24) and any shipment for which the informal entry procedures may not be used (see §128.24).

[T.D. 94-51, 59 FR 30295, June 13, 1994]

PART 132—QUOTAS

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AUTHORITY: 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1623, 1624.

Sections 132.15, 132.17, and 132.18 also issued under 19 U.S.C. 1202 (additional U.S. Note 3 to Chapter 2, HTSUS; additional U.S. Note 8 to Chapter 17, HTSUS; and subchapter II of Chapter 99, HTSUS, respectively), 1484, 1508.

SOURCE: T.D. 73-203, 38 FR 20230, July 30, 1973, unless otherwise noted.

§ 132.0 Scope.

This part sets forth rules and procedures applicable to quotas administered by Headquarters, U.S. Customs Service.

Subpart A—General Provisions

§ 132.1 Definitions.

When used in this part, the following terms shall have the meaning indicated:

(a) *Absolute (or quantitative) quotas.* “Absolute (or quantitative) quotas” are those which permit a limited number of units of specified merchandise to be entered or withdrawn for consumption during specified periods. Once the quantity permitted under the quota is filled, no further entries or withdrawals for consumption of merchandise subject to quota are permitted. Some absolute quotas limit the entry or withdrawal of merchandise from particular countries (geographic quotas) while others are global quotas and limit the entry or withdrawal of merchandise not by source but by total quantity.

(b) *Tariff-rate quotas.* “Tariff-rate quotas” permit a specified quantity of merchandise to be entered or withdrawn for consumption at a reduced duty rate during a specified period.

(c) [Reserved]

(d) *Presentation.* “Presentation” is the delivery in proper form to the appropriate Customs officer of:

(1) An entry summary for consumption, which shall serve as both the entry and the entry summary, with estimated duties attached (see § 141.0a(b)); or

(2) An entry summary for consumption, which shall serve as both the entry and the entry summary, without estimated duties attached, if the entry/entry summary information and a valid scheduled statement date (pursuant to § 24.25 of this chapter) have been successfully received by Customs via the Automated Broker Interface; or

(3) A withdrawal for consumption with estimated duties attached.

(e) *Quota-class merchandise.* “Quota-class merchandise” is any imported merchandise subject to limitations under an absolute or a tariff-rate quota.

(f) *Quota priority.* “Quota priority” is the precedence granted to one entry or withdrawal for consumption of quota-class merchandise over other entries or withdrawals of merchandise subject to the same quota.

(g) *Quota status.* “Quota status” is the standing which entitles quota-class merchandise to admission under an absolute quota, or to a reduced rate of duty under a tariff-rate quota, or to any other quota benefit.

[T.D. 73-203, 38 FR 20230, July 30, 1973, as amended by T.D. 79-221, 44 FR 46814, Aug. 9, 1979; T.D. 89-104, 54 FR 50498, Dec. 7, 1989]

§ 132.2 Enactment and administration of quotas.

(a) *Enactment.* Tariff-rate quotas and absolute quotas are established by Presidential proclamations, Executive orders, and legislative enactments. These documents are published in the Customs Bulletin.

(b) *Administration.* Quotas vary by the type of commodity involved, the country of exportation, the period or periods the quota is open and the type of