

## § 122.131

## 19 CFR Ch. I (4-1-08 Edition)

shipment shall then be put under constructive Customs custody in a special area set aside for the shipment in the exporting airline's cargo terminal.

(h) *Filing of exportation and clearance copies*—(1) *Information*. When filed with Customs, the exportation and clearance copies of the transit air cargo manifest shall each show:

- (i) The aircraft number;
- (ii) The aircraft flight number; and
- (iii) The date.

(2) *Filing*. The exporting airline shall file the exportation and clearance copies before the aircraft that carries the transit air cargo departs. The clearance copies shall be grouped together and not mixed in with other outward manifest sheets. The exportation copies shall be grouped together, and kept separate from the outward clearance documents.

(i) *Cargo not laden at same airport by same airline*. If all the cargo listed on one transit air cargo manifest sheet is not laden for exportation from the same U.S. airport by the same airline, then separate entries on Customs Form 7512 are required for each cargo shipment listed:

- (1) For transportation and exportation under subpart J of this part; or
- (2) For direct exportation under § 18.25 of this chapter.

(j) *Cargo laden on more than one aircraft of same airline*. When any cargo shipment listed on the same transit air cargo manifest must be exported on more than one aircraft of the same airline, § 122.118(d) applies.

(k) *Failure to deliver*. If all or part of the cargo listed on the transit air cargo manifest is not accounted for with an exportation copy within 40 days, the director of the port of arrival shall take action as provided in § 122.119(d).

[T.D. 88-12, 53 FR 9292, Mar. 25, 1988, as amended by T.D. 98-74, 63 FR 51289, Sept. 25, 1998; T.D. 00-22, 65 FR 16518, Mar. 29, 2000]

### Subpart M—Aircraft Liquor Kits

#### § 122.131 Application.

(a) *Liquor and tobacco*. Subpart M applies to:

- (1) Duty-free and tax-free liquor and tobacco; and

- (2) Duty-paid and tax-paid liquor and tobacco which has been placed in the same liquor kit as duty-free and tax-free liquor and tobacco.

(b) *Aircraft*. Subpart M applies to all commercial aircraft on domestic or foreign flights operating into, from and between U.S. airports, which are carrying:

- (1) Duty-free and tax-free liquor and tobacco withdrawn from bond under section 309, Tariff Act of 1930, as amended (19 U.S.C. 1309); or

- (2) Other liquor or tobacco on which duty or taxes have not been paid.

This includes any aircraft carrying duty-free and tax-free liquor under 19 U.S.C. 1309, or other Federal law, although the aircraft is not required to enter, clear or report arrival.

#### § 122.132 Sealing of aircraft liquor kits.

(a) *Sealing required*. Aircraft liquor kits shall be sealed on board the aircraft by crewmembers before the aircraft lands in the U.S. The liquor kits shall be kept under seal while on the ground unless taken to an authorized airline in-bond liquor storeroom.

(b) *Exception*. When an aircraft is traveling between airports in the U.S., in a trade for which duty-free and tax-free liquor is used during flight, sealing the liquor kits on board during transporting stopovers is not required if:

- (1) The liquor kits are kept on board the aircraft; and

- (2) The port director finds that sealing is not required for revenue protection.

(c) *Seals to be used*. Aircraft liquor kits shall be sealed with serially numbered, Customs approved seals. The airline shall use seals supplied by an approved manufacturer, as provided in part 24 of this chapter. A small number of seals may be obtained from the port director.

(d) *Removing seals*. When sealed liquor kits are on the ground, the Customs seals may be broken only by:

- (1) A Customs officer; or
- (2) Authorized airline personnel, in an authorized airline in-bond liquor storeroom.

(e) *Resealing*. When a Customs officer breaks the seal of a liquor kit to check