

**Pt. 127**

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

authority, may cancel liquidated damages incurred under the bond of the foreign trade zone operator, containing the bond conditions set forth in §113.73 of this chapter, or under the bond of the cartman, lighterman, bonded carrier, bonded warehouse operator, container station operator or centralized examination station operator on Customs Form 301, containing the bond conditions set forth in §113.63 of this chapter, upon the payment of such lesser amount, or without the payment of any amount, as the Fines, Penalties, and Forfeitures Officer may deem appropriate under the circumstances. Application for cancellation of liquidated damages incurred shall be made in accordance with the provisions of part 172 of this chapter.

[T.D. 00-57, 65 FR 53575, Sept. 5, 2000]

**PART 127—GENERAL ORDER, UNCLAIMED, AND ABANDONED MERCHANDISE**

Sec.

127.0 Scope.

**Subpart A—General Order Merchandise**

127.1 Merchandise considered general order merchandise.

127.2 Withdrawal from general order for entry or exportation.

127.4 General order period defined.

**Subpart B—Unclaimed and Abandoned Merchandise**

127.11 Unclaimed merchandise.

127.12 Abandoned merchandise.

127.13 Storage of unclaimed and abandoned merchandise.

127.14 Disposition of merchandise in Customs custody beyond time fixed by law.

**Subpart C—Sale of Unclaimed and Abandoned Merchandise**

127.21 Time of sale.

127.22 Place of sale.

127.23 Appraisalment of merchandise.

127.24 Notice of sale.

127.25 Advertisement of sale.

127.26 Catalogs.

127.27 Conduct of sale.

127.28 Special merchandise.

127.29 Unsold merchandise.

**Subpart D—Proceeds of Sale**

127.31 Disposition of proceeds.

127.32 Expenses of cartage, storage, and labor.

127.33 Chargeable duties.

127.34 Auctioneer's commissions.

127.35 Presentation of accounts.

127.36 Claim for surplus proceeds of sale.

127.37 Insufficient proceeds.

**Subpart E—Title to Unclaimed and Abandoned Merchandise Vesting in Government**

127.41 Government title to unclaimed and abandoned merchandise.

127.42 Disposition of merchandise owned by Government.

127.43 Petition of party for surplus proceeds had merchandise been sold.

AUTHORITY: 19 U.S.C. 66, 1311, 1312, 1484, 1485, 1490, 1491, 1492, 1493, 1506, 1559, 1563, 1623, 1624, 1646a; 26 U.S.C. 5753.

Section 127.12 also issued under 19 U.S.C. 1753;

Section 127.14 also issued under 19 U.S.C. 1555, 1556, 1557;

Section 127.21 also issued under 19 U.S.C. 1753;

Section 127.28 also issued under 15 U.S.C. 2612, 26 U.S.C. 5688;

Sections 127.31, 127.36, 127.37 also issued under 19 U.S.C. 1753.

SOURCE: T.D. 74-114, 39 FR 12092, Apr. 3, 1974, unless otherwise noted.

**§ 127.0 Scope.**

This part sets forth regulations pertaining to general order merchandise, unclaimed merchandise, and abandoned merchandise, the storage and sale thereof, and the distribution of the proceeds from the sale thereof. Regulations regarding the abandonment of merchandise by the importer to the Government in accordance with section 506(1), Tariff Act of 1930, as amended (19 U.S.C. 1506(1)), appear in part 158 of this chapter.

**Subpart A—General Order Merchandise**

**§ 127.1 Merchandise considered general order merchandise.**

Merchandise shall be considered general order merchandise when it is taken into the custody of the port director and deposited in the public stores or a general order warehouse at the risk and expense of the consignee for any of the following reasons:

(a) Whenever entry of any imported merchandise is not made within the