§ 122.91

an inspection of passengers is to take

place.

Subpart J—Transportation in Bond
and Merchandise in Transit

§ 122.91 Application.

This subpart applies to the transpor-
tation in bond of merchandise arriving
in the U.S. by aircraft and entered:

(a) For immediate transportation to
another airport without appraisement;
or

(b) For transportation through the
U.S. and later exportation by aircraft.

§ 122.92 Procedure at port of origin.

(a) Forms required—(1) Customs Form
7512 or other document. Customs Form
7512 or other Customs approved docu-
ments, such as an air waybill (see para-
graph (a)(3) of this section), shall be
used for both entry and manifest.
Three copies of the form or other docu-
ment are required to be filed with Cus-
toms at the port of origin for merchan-
dise for immediate transportation
without appraisement. Four copies of
the form or other document are re-
quired when merchandise for transpor-
tation and exportation is entered. (See
also, §§ 18.11 and 18.20(a) of this chap-
ter). Each copy shall be signed by the
carrier or its authorized agent.

(2) Air Waybill. An air waybill may
be used for both entry and manifest.
Three copies of the air waybill are re-
quired unless the port director deems
additional copies necessary. Photo-
copies of the original air waybill are
acceptable. Either preprinted stock air
waybills or electronically generated air
waybills may be used. The air waybill
must:

(i) Contain the information required
of a universal air waybill as recognized
and accepted by the International Air
Transport Association (IATA), be leg-
ible and in the English language;

(ii) Display a unique 11-digit number,
the first three digits being the air car-
rier’s identification code;

(iii) Display the number of packages
based on the smallest external pack-
aging unit (e.g., 14 packages is accep-
table, 1 pallet is unacceptable);

(iv) Display the name of the final
port of destination in the U.S. or the
name of the ultimate country of des-
tination of the cargo indicated by
available air carrier shipping docu-
ments. The ultimate destination must
be shown even though the air transport-
ation may be scheduled to terminate
in a country prior to the cargo’s final
destination;

(v) Be modified to contain the fol-
lowing information which should ap-
pear in a block or attachment in the
upper right-hand corner as in this ex-
ample. The numbers 1–8 correspond
to the descriptions that follow; the num-
bers do not have to appear on the AWB:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Origin</td>
</tr>
<tr>
<td>2</td>
<td>Entry Type</td>
</tr>
<tr>
<td>3</td>
<td>Destination</td>
</tr>
<tr>
<td>4</td>
<td>Importing Carrier/Flight Number/Arrival Date</td>
</tr>
<tr>
<td>5</td>
<td>Bonded Carrier/Exporter</td>
</tr>
<tr>
<td>6</td>
<td>Date</td>
</tr>
<tr>
<td>7</td>
<td>Signature of Carrier’s Agent (or Exporter)</td>
</tr>
<tr>
<td>8</td>
<td>Customs Officer Date</td>
</tr>
</tbody>
</table>

The item numbers correspond to the
following information:

Item 1—Origin— The numeric port
code as listed in Schedule D of the Har-
monized Tariff Schedules of the United
States, or the port where the in-bond
entry is presented.

Item 2—Entry type— The appropriate
in-bond code number such as I.T./61 for
Immediate Transportation, T&E/62 for
Transportation and Exportation, and
I.E./63 for Immediate Exportation.

Item 3—Destination— The numeric
port code for the intended port of des-
tination for entry or exportation.

Item 4—Importing Carrier/Flight Num-
ber/Arrival Date— This information
serves to identify the shipment in
terms of the inward foreign manifest
of the importing carrier. The “Arrival
Date” is the date of arrival of the im-
porting conveyance in the U.S. The in-
formation must be supplied in all in-
stances.

Item 5—Bonded Carrier/Exporter— The
bonded carrier or exporter who will be
liable for the proper movement, handling, and safekeeping of the merchandise once the in-bond movement is authorized by Customs. If this information is not supplied, the in-bond movement will be carried out under the bond of the importing carrier. (See Item 7 for further information on transfer of liability.)

Item 6—Date— The date of the in-bond entry preparation. Since an in-bond entry can be prepared before the date of entry presentation and/or acceptance, and prior to the actual arrival of the importing conveyance, this date should only be used for duty assessment purposes when the date in Item 8 is left blank. If a date is not present, the date of in-bond preparation will be deemed to be the date of arrival.

Item 7—Signature of Carrier’s Agent (or Exporter)— This signature of the authorized agent of the bonded carrier or exporter identified previously (See Item 5) constitutes acceptance of the liability for the in-bond shipment by the party signing. A signature is required except when the in-bond movement is under the bond of the importing carrier. If unsigned, the submission to Customs of an AWB requesting such a movement is evidence of the acceptance of liability if the AWB is approved by Customs.

Item 8—Customs Officer/Date— Signature of the Customs officer who authorizes the initiation of the in-bond movement and the date of such authorization. Customs will check to make sure merchandise is released only to a bonded carrier. The date is used to start the time limit for completion of the in-bond movement and for consumption entry purposes in accord with §141.69(b) of this chapter. Customs authorization procedures which use a perforation device are acceptable in lieu of the appropriate Customs signature. The port director will determine whether a signature will be required in this block prior to the time that the cargo is allowed to move.

(b) Delivery of Customs Form to carrier—(1) Merchandise entered for immediate transportation without appraisement. When merchandise is entered for immediate transportation without appraisement, two copies of Customs Form 7512 or other Customs approved document shall be delivered to the carrier.

(2) Merchandise entered for transportation and exportation. When merchandise is entered for transportation and exportation, one copy of Customs Form 7512 and any other Customs approved document shall be delivered to the carrier.

(3) After delivery, After delivery, the forms or other document shall accompany the merchandise to the port of destination or exportation.

(c) Receipt and supervision. The agent of a bonded air carrier shall give a receipt for any merchandise delivered to it for transportation in bond, and no supervision of the lading of the merchandise on the transporting aircraft shall be required.

(D) Split shipment—(1) Departure within 24 hours. Merchandise covered by a single entry and manifest (Customs Form 7512 or other Customs approved document) may be sent to the destination airport on one or more aircraft. A separate manifest for each aircraft is not required if the whole shipment is sent within a single 24-hour period.

(2) Departure not within 24 hours. If any part of a shipment is sent more than 24 hours after the first part was sent, the entry and manifest copy which accompanies the first shipment shall state that the rest of the shipment will follow by separate aircraft. A single manifest shall be prepared for each part of the shipment sent by separate aircraft. The manifest shall be used as notice of each arrival at the destination airport.

(e) Transshipment. Merchandise sent under bond may be transferred at an intermediate airport to one or more aircraft of the same airline. This may be done without Customs supervision and notice of the transfer is not required. If merchandise covered by one entry and manifest is transferred to more than one aircraft, paragraph (d) of this section applies.

(f) Sealing not required. The sealing of aircraft, aircraft compartments carrying bonded merchandise, or the cording and sealing of bonded packages carried by the aircraft, is not required.

(g) Warning labels. The carrier shall supply and attach the warning label, as
§ 122.93 Procedure at destination or exportation airport.

(a) Delivery to port director. When a bonded shipment arrives at the destination or exportation airport, the aircraft commander or agent shall deliver one copy of the entry and manifest (Customs Form 7512 or other Customs approved document) covering the shipment to the port director of that airport as notice of arrival. If the shipment was sent by separate aircraft more than 24 hours after the first part of the shipment was sent, then a manifest for each part of the shipment shall be delivered to the port director.

(b) Delivery to consignee. When the merchandise is sent under an entry for immediate transportation without appraisal, one copy of the manifest covering the merchandise shall be delivered by the carrier to the consignee. This copy is used to make entry, and may also be used as a carrier certificate as provided in §141.11(a)(4) of this chapter.


§ 122.94 Certificate of lading for exportation.

(a) Required filing. This section applies to merchandise entered for transportation and exportation by aircraft. A certificate of lading for exportation and a Customs Form 7512 or other Customs approved document (see §122.93 of this subpart) shall be filed when the merchandise reaches the final departure airport. The form shall be filled out and signed at the place where aircraft clearance for the merchandise is given.

(b) Clearance not at place of final departure. If an aircraft is cleared at a place other than the place of final departure from the U.S., the aircraft commander or its authorized agent shall:

1. Promptly report arrival of any bonded merchandise for export to the Customs officer in charge at that place; and

2. Submit to the Customs officer in charge the certificate received at the place the merchandise was taken on board. The clearance certificate is kept by the Customs officer in charge until departure. This procedure shall be followed at each place of landing before final departure.


§ 122.95 Other provisions.

Part 18 of this chapter (Transportation in Bond and Merchandise in Transit) applies to the transportation of merchandise under this subpart unless stated otherwise.

Subpart K—Accompanied Baggage in Transit

§ 122.101 Entry of accompanied baggage.

Passengers who enter the U.S. on one aircraft and depart to a foreign area on another aircraft with accompanying baggage shall either:

(a) Submit their baggage to Customs for inspection; or

(b) Arrange with the importing carrier for the baggage to be processed under regular in-transit procedures.

When passengers choose not to have access to their baggage while in the U.S., the baggage shall be listed on the Air Cargo Manifest as provided in §122.48.

§ 122.102 Inspection of baggage in transit.

(a) General baggage in transit may be inspected upon arrival, while in transit, and upon exportation. Carriers shall present in-transit baggage for inspection at any time found necessary by the port director.

(b) In-transit baggage shall be presented to a Customs officer for inspection and clearance before the baggage can be delivered to a passenger while in the U.S.

Subpart L—Transit Air Cargo Manifest (TACM) Procedures

§ 122.111 Application.

Cargo (including manifested baggage) which arrives and is transported under