

§ 162.0

19 CFR Ch. I (4–1–12 Edition)

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Section 162.3 also issued under 19 U.S.C. 1581;
Section 162.4 also issued under 39 U.S.C. 604, 605;
Section 162.5 also issued under 19 U.S.C. 1581, 49 U.S.C. 1509;
Section 162.6 also issued under 19 U.S.C. 1461, 1467, 1496;

Section 162.7 also issued under 19 U.S.C. 482;
Section 162.8 also issued under 9 U.S.C. 1629;
Section 162.21 also issued under 19 U.S.C. 482, 1581, 1582, 1602;
Section 162.22 also issued under 18 U.S.C. 546; 19 U.S.C. 1459, 1594, 1595a, 1701, 1703–1708;
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Section 162.45 also issued under 19 U.S.C. 1607, 1608;
Section 162.45a also issued under 21 U.S.C. 881;
Section 162.46 also issued under 19 U.S.C. 1609, 1611;
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Section 162.48 also issued under 19 U.S.C. 1606, 1607, 1608, 1612, 1613b, 1618;
Section 162.49 also issued under 26 U.S.C. 5688;
Section 162.50 also issued under 19 U.S.C. 1611, 1705;
Section 162.61 also issued under 21 U.S.C. 952, 953, 957;
Section 162.62 also issued under 21 U.S.C. 952, 956;
Sections 162.63, 162.64 also issued under 21 U.S.C. 881, 966;
Section 162.65 also issued under 19 U.S.C. 1584, 21 U.S.C. 960, 961.
Sections 162.65 and 162.72 also issued under 19 U.S.C. 1431(b) and 19 U.S.C. 1644.
Sections 162.91 through 162.96 also issued under 18 U.S.C. 983.

SOURCE: T.D. 72–211, 37 FR 16488, Aug. 15, 1972, unless otherwise noted.

§ 162.0 Scope.

This part contains provisions for the inspection, examination, and search of persons, vessels, aircraft, vehicles, and merchandise involved in importation, for the seizure of property, and for the forfeiture and sale of seized property. It also contains provisions for Customs enforcement of the controlled substances laws. Additional provisions concerning records maintenance and examination applicable to U.S. importers, exporters and producers under the U.S.-Chile Free Trade Agreement, the U.S.-Singapore Free Trade Agreement, the Dominican Republic-Central America-U.S. Free Trade Agreement, the

U.S.-Morocco Free Trade Agreement, the U.S.-Peru Trade Promotion Agreement, and the U.S.-Korea Free Trade Agreement are contained in Part 10, Subparts H, I, J, M, Q, and R of this chapter, respectively.

[T.D. 98-56, 63 FR 32945, June 16, 1998, as amended by CBP Dec. 05-07, 70 FR 10884, Mar. 7, 2005; CBP Dec. 07-81, 72 FR 58522, Oct. 16, 2007; CBP Dec. 08-22, 73 FR 33691, June 13, 2008; CBP Dec. 11-01, 76 FR 708, Jan. 6, 2011; CBP Dec. 12-03, 77 FR 15959, Mar. 19, 2012]

Subpart A—Inspection, Examination, and Search

SOURCE: T.D. 79-159, 44 FR 31970, June 4, 1979, unless otherwise noted.

§§ 162.1–162.2 [Reserved]

§ 162.3 Boarding and search of vessels.

(a) *General authority.* A Customs officer, for the purpose of examining the manifest and other documents and papers and examining, inspecting and searching the vessel, may at any time go on board:

(1) Any vessel at any place in the United States or within the Customs waters of the United States;

(2) Any American vessel on the high seas;

(3) Any vessel within a Customs-enforcement area designated such under the provisions of the Anti-Smuggling Act (Act of August 5, 1935, as amended, 49 Stat. 517; 19 U.S.C. 1701, 1703 through 1711), but Customs officers shall not board a foreign vessel upon the high seas in contravention of any treaty with a foreign government, or in the absence of a special arrangement with the foreign government concerned.

(b) *Search of army or navy vessel.* If the port director or special agent in charge believes that sufficient grounds exist to justify a search of any army or navy vessel, the facts shall be reported to the commanding officer or master of the vessel with a request that he cause a full search to be made, and advise the port director or special agent in charge of the result of such search. If, after the cargo has been discharged, passengers and their baggage landed, and the baggage of officers and crewmembers examined and passed, the port director or special agent in charge

believes that sufficient grounds exist to justify the continuance of Customs supervision of the vessel, the commanding officer or master of the vessel shall be advised accordingly.

(c) *Assistance of other agencies.* Customs officers are authorized to assist any other agency in the enforcement of United States laws on any vessel.

[T.D. 84-18, 48 FR 52899, Nov. 23, 1983]

§ 162.4 Search for letters.

A Customs officer may search vessels for letters which may be on board or may have been conveyed contrary to law on board any vessel or on any post route, and shall seize such letters and deliver them to the nearest post office or detain them subject to the orders of the postal authorities.

[T.D. 72-211, 37 FR 16488, Aug. 15, 1972]

§ 162.5 Search of arriving vehicles and aircraft.

A customs officer may stop any vehicle and board any aircraft arriving in the United States from a foreign country for the purpose of examining the manifest and other documents and papers and examining, inspecting, and searching the vehicle or aircraft.

[T.D. 72-211, 37 FR 16488, Aug. 15, 1972, as amended by T.D. 90-34, 55 FR 17597, Apr. 26, 1990]

§ 162.6 Search of persons, baggage, and merchandise.

All persons, baggage, and merchandise arriving in the Customs territory of the United States from places outside thereof are liable to inspection and search by a Customs officer. Port directors and special agents in charge are authorized to cause inspection, examination, and search to be made under section 467, Tariff Act of 1930, as amended (19 U.S.C. 1467), of persons, baggage, or merchandise, even though such persons, baggage, or merchandise were inspected, examined, searched, or taken on board the vessel at another port or place in the United States or the Virgin Islands, if such action is deemed necessary or appropriate.

[T.D. 72-211, 37 FR 16488, Aug. 15, 1972]