PART 401—SHIPPING RESTRICTIONS

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401.1 Prohibited transportation and discharge.
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AUTHORITY: Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. app. 2154, as amended; Interpre
tor apply secs. 101, 705, 64 Stat. 799, as amend-
1953 Comp., p. 962.

SOURCE: Transportation Order T–1, 30 FR 9092, July 21, 1965; 32 FR 15831, Nov. 17, 1967,
unless otherwise noted. Redesignated at 45
FR 44574, July 1, 1980.

§ 401.1 Prohibited transportation and discharge.

No person shall transport in any ship documented under the laws of the United States or in any aircraft reg-
istered under the laws of the United States any commodity at the time not identified by the Symbol B in the last
column of the Commodity Control List (339.1 of the Comprehensive Export Schedule, issued by the Bureau of
International Commerce, Department of Commerce (15 CFR parts 368 through 399), any article designated as arms,
ammunition, and implements of war in the United States Munitions List (22 CFR parts 121 through 128), or any com-
modity, including fissionable, mate-
rials controlled for export under the Atomic
Energy Act of 1954, as amend-
ed, to any destination at the time in
country groups X, Y, or Z as set forth
in the Comprehensive Export Schedule
(15 CFR 370.1(g)(2)), and no person shall
discharge from any such ship or any such aircraft any such commodity or article at any such port or place or at
any other port or place in transit to any such destination, unless a vali-
dated export license under the Export
Control Act of 1949, as amended, under
section 414 of the Mutual Security Act
of 1954, as amended, or under the Atomo
c Energy Act of 1954, as amended, has
been obtained for the shipment, or un-
less authorization for the shipment has
been furnished by the Assistant Sec-
retary for Domestic and International
Business. This prohibition applies to
the owner of the ship or aircraft, the
master of the ship or aircraft, or any
other officer, employee or agent of the
owner of the ship or aircraft who par-
ticipates in the transportation. The
consular officers of the United States
are furnished with current copies of the
Commodity Control List.

§ 401.2 Application for adjustment or
exceptions.

Any person affected by any provi-
sions of this order may file an applica-
tion for an adjustment or exception
upon the ground that such provision
works an exceptional hardship upon
him, not suffered by others, or that its
enforcement against him would not be
in the interest of the national defense
program. Such an application may be
made by letter or telegram addressed
to the Assistant Secretary for Domes-
tic and International Business, Depart-
ment of Commerce, Washington, DC,
20230, reference T–1. If authorization is
requested, any such application should
specify in detail the material to be
shipped, the name and address of the
shipper and of the recipient of the ship-
ment, the ports or places from which
and to which the shipment is being
made and the use to which the mate-
rial shipped will be put. The applica-
tion should also specify in detail the
facts which support the applicant’s
claim for an exception.

§ 401.3 Reports.

Persons subject to this order shall
submit such reports to the Assistant
Secretary for Domestic and Interna-
tional Business as he shall require,
subject to the terms of the Federal Re-
ports Act.

§ 401.4 Records.

Each person participating in any
transaction covered by this order shall
retain in his possession, for at least 2
years, records of shipments in suffi-
cient detail to permit an audit that de-
termines for each transaction that the
provisions of this order have been met.
This does not specify any particular ac-
counting method and does not require
alteration of the system of records cus-
tomarily maintained, provided such
records supply an adequate basis for