

# Bureau of Customs and Border Protection

## *General Notices*

### COPYRIGHT, TRADEMARK, AND TRADE NAME RECORDATIONS

(No. 3-2003)

AGENCY: Bureau of Customs and Border Protection, Department of Homeland Security.

SUMMARY: The copyrights, trademarks, and trade names recorded with the U.S. Customs Service during the month of March 2003. The last notice was published in the CUSTOMS BULLETIN on April 2, 2003.

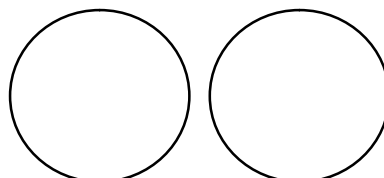
Corrections or information to update files may be sent to Department of Homeland Security, Bureau of Customs and Border Protection, Office of Regulations and Rulings, IPR Branch, 1300 Pennsylvania Avenue, N.W., Mint Annex, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: George Frederick McCray, Esq., Chief, Intellectual Property Rights Branch, (202) 572-8710.

Dated: April 18, 2003.

GEORGE FREDERICK MCCRAY, ESQ.  
*Chief,*  
*Intellectual Property Rights Branch.*

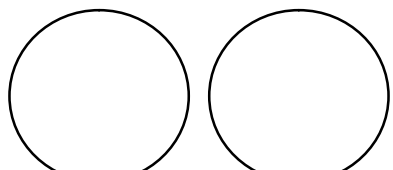
The list of recordations follow:



U.S. CUSTOMS SERVICE  
IPR RECORDATIONS ADDED IN MARCH 2003

04/10/2003  
13:07:50

| REC NUMBER                   | EFF DT   | EXP DT   | NAME OF COP, TMK, TMM OR MSK                | OWNER NAME                       | RES |
|------------------------------|----------|----------|---|----------------------------------|-----|
| COP0300013                   | 20030304 | 20230304 | OCTOMASSE PACKAGING                         | S/K COLLECTION PTY LTD.          | N   |
| COP0300014                   | 20030307 | 20230307 | THE BUTTERFLY BENCH                         | CRICKET FORGE                    | N   |
| COP0300015                   | 20030307 | 20230307 | GECKO STONE(S)                              | JOHN JOSEPH AUGUST               | N   |
| COP0300016                   | 20030307 | 20230307 | ZENWORKS FOR SERVERS 3.0                    | NOVELL INC.                      | N   |
| COP0300017                   | 20030317 | 20230317 | GO, GO!!                                    | JANE K. PARK                     | N   |
| COP0300018                   | 20030317 | 20230317 | BVLGARI - MATCHES 2002/2003                 | BULGARI S.P.A.                   | N   |
| COP0300019                   | 20030319 | 20230319 | UDA LOGO                                    | LA NYMPH, INC.                   | N   |
| COP0300020                   | 20030319 | 20230319 | UDA LOGO                                    | THE UPPE DECK COMPANY LLC.       | N   |
| COP0300021                   | 20030319 | 20230319 | UDA LOGO                                    | THE UPPER DECK COMPANY LLC.      | N   |
| COP0300022                   | 20030319 | 20230319 | UDA LOGO                                    | THE UPPER DECK COMPANY LLC.      | N   |
| COP0300023                   | 20030320 | 20230320 | NBA COURTSIDE 2 FEATURING KOBE BRYANT       | THE UPPER DECK COMPANY LLC.      | N   |
| COP0300024                   | 20030325 | 20230325 | PAPER MARIO                                 | NINTENDO OF AMERICA INC.         | N   |
| COP0300025                   | 20030325 | 20230325 | KIRBY TILT 'N' TUMBLE                       | NINTENDO OF AMERICA INC.         | N   |
| COP0300026                   | 20030325 | 20230325 | KIRBY TILT 'N' TUMBLE                       | NINTENDO OF AMERICA INC.         | N   |
| SUBTOTAL RECORDATION TYPE 14 |          |          |   |                                  |     |
| THK0300112                   | 20030304 | 20110807 | TWIST-N-GO                                  | CLASSIC MOTORCYCLES & SIDECARS   | N   |
| THK0300113                   | 20030304 | 20121001 | B WITHIN A DOUBLE CIRCLE                    | BUSHNELL CORPORATION             | N   |
| THK0300114                   | 20030304 | 20121015 | BUSHNELL AND DESIGN                         | BUSHNELL CORPORATION             | N   |
| THK0300115                   | 20030304 | 20121015 | BUSHNELL                                    | BUSHNELL CORPORATION             | N   |
| THK0300116                   | 20030304 | 20110512 | BUSHNELL                                    | BUSHNELL CORPORATION             | N   |
| THK0300117                   | 20030304 | 20080607 | B WITHIN A CIRCLE DESIGN                    | BUSHNELL CORPORATION             | N   |
| THK0300118                   | 20030304 | 20120219 | 7-UP  | DR PEPPER/SEVEN UP, INC.         | N   |
| THK0300119                   | 20030304 | 20121103 | SEIKO                                       | SEIKO KABUSHIKI KAISHA           | N   |
| THK0300120                   | 20030304 | 20121217 | BIONICLE                                    | KIRKBI AG                        | N   |
| THK0300121                   | 20030304 | 20130121 | KRISTALL AND DESIGN                         | KRISTALL JEWELER INC.            | N   |
| THK0300122                   | 20030305 | 20128409 | ADVENT                                      | RECOTON CORPORATION              | N   |
| THK0300123                   | 20030305 | 20128409 | NORTH ATLANTIC OPERATING COMPANY            | NORTH ATLANTIC OPERATING COMPANY | N   |
| THK0300124                   | 20030305 | 20070617 | ZYPREXA                                     | THE JELLY AND COMPANY            | N   |
| THK0300125                   | 20030305 | 20071025 | ROYALTY                                     | J. M. H. TRADEMARK, INC.         | N   |
| THK0300126                   | 20030305 | 20070221 | POLYBAC MERCHANTS                           | TRI-UNION SEAFOODS, LLC.         | N   |
| THK0300127                   | 20030305 | 20060211 | VAN CAMP'S                                  | CAMELBAK PRODUCTS, INC.          | N   |
| THK0300128                   | 20030305 | 20070923 | CAMELBAK                                    | CAMELBAK PRODUCTS, INC.          | N   |
| THK0300129                   | 20030305 | 20100109 | CAMELBAK                                    | INVACARE CORPORATION             | N   |
| THK0300130                   | 20030305 | 20030628 | INVACARE                                    | MAE - AUTODESIGN GMBH            | N   |
| THK0300131                   | 20030305 | 20110619 | MAE (STYLIZED)                              | CHROME HEARTS, INC.              | N   |
| THK0300132                   | 20030305 | 20081013 | CHROME HEARTS PLUS KNEE-PATCH DESIGN        | CHROME HEARTS, INC.              | N   |
| THK0300133                   | 20030305 | 20081229 | CHROME HEARTS PLUS DAGGER DESIGN            | CHROME HEARTS, INC.              | N   |
| THK0300134                   | 20030305 | 20081229 | CHROME HEARTS PLUS DAGGER DESIGN            | CHROME HEARTS, INC.              | N   |
| THK0300135                   | 20030305 | 20091012 | CHROME HEARTS PLUS DAGGER DESIGN            | CHROME HEARTS, INC.              | N   |
| THK0300136                   | 20030306 | 20120409 | CHROME HEARTS PLUS DAGGER DESIGN            | DON MARCOS                       | N   |
| THK0300137                   | 20030310 | 20120924 | HOLLYWOOD DIGITAL                           | DON MARCOS TRADING CO.           | Y   |
| THK0300138                   | 20030310 | 20130121 | COPPER TOP                                  | HOLLYWOOD SOUND INT'L. CORP.     | Y   |
| THK0300139                   | 20030311 | 20120924 | YORK  | THE GILLETTE COMPANY             | N   |
| THK0300140                   | 20030311 | 20061231 | MOVING BLEU                                 | BROOK MAYS MUSIC COMPANY         | Y   |
| THK0300141                   | 20030311 | 20120924 | BIG TEX                                     | HAMPSHIRE GROUP LTD.             | Y   |
| THK0300142                   | 20030311 | 20090631 | CONFIGURATION OF THE PACKAGING DENTAL FLOSS | STATE FALCON                     | N   |
| THK0300143                   | 20030311 | 20090631 | FLUSSCARD                                   | ROBERT ENDELSON                  | N   |



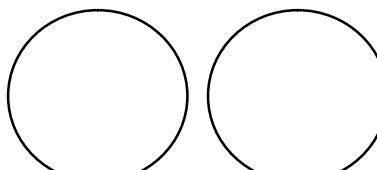
BUREAU OF CUSTOMS AND BORDER PROTECTION

04/10/2003  
13:07:50

U.S. CUSTOMS SERVICE  
IPR RECORDATIONS ADDED IN MARCH 2003

04/10/2003  
13:07:50

| REC NUMBER | EFF DT   | EXP DT   | NAME OF COP, TMK, TMM OR MSK                          | OWNER NAME                       | RES |
|------------|----------|----------|---|----------------------------------|-----|
| THK0300146 | 20030311 | 20081006 | FLOSSCARD   | ROBERT ENDELSON                  | N   |
| THK0300145 | 20030311 | 20120512 | "A" STYLIZED  | ARIZONA BOARD OF REGENTS ON      | N   |
| THK0300144 | 20030311 | 20110813 | LV MONOGRAM PLUS FLOWER DESIGN ON A BAG               | LOUIS VUITTON MALLETTIER         | N   |
| THK0300143 | 20030311 | 20110120 | SOLANO  | ROLF BRAUCHLI INC.               | N   |
| THK0300142 | 20030311 | 20070415 | DESIGN (TRI DIMENSIONAL TWO HOOK DEVICE)              | SALVATORE FERRAGAMO ITALIA SPA   | N   |
| THK0300141 | 20030311 | 20120723 | I CAN LEARN EDUCATION SYSTEMS & DESIGN                | JRL ENTERPRISES, INC.            | N   |
| THK0300140 | 20030311 | 20061126 | I CAN LEARN   | JRL ENTERPRISES, INC.            | N   |
| THK0300139 | 20030311 | 20120702 | CLASSROOM EXPLORER                                    | JRL ENTERPRISES, INC.            | N   |
| THK0300138 | 20030311 | 20120801 | FISH SHAPED BOTTLE DESIGN                             | ITALVINIFERA S.R.L.              | N   |
| THK0300137 | 20030317 | 20120723 | NEWPORT MEDIUM  | LORILLARD LICENSING COMPANY LLC. | N   |
| THK0300136 | 20030317 | 20121217 | NEWPORT   | LORILLARD LICENSING COMPANY LLC. | N   |
| THK0300135 | 20030317 | 20121112 | CONFIGURATION OF A TABLE WITH A WOODEN BASE AND GLASS | THE ISAMU NOGUCHI FOUNDATION INC | N   |
| THK0300134 | 20030317 | 20121217 | NORTH ATLANTIC OPERATING COMPANY, INC. & DESIGN       | LORILLARD LICENSING COMPANY LLC. | N   |
| THK0300133 | 20030317 | 20081027 | LOLA AND DESIGN                                       | NORTH ATLANTIC OPERATING CO. INC | N   |
| THK0300132 | 20030317 | 20111009 | LOLA MONOGRAM CANVAS)                                 | AGRO FOODS INC.                  | N   |
| THK0300131 | 20030318 | 20120720 | UL UPHANN & DESIGN                                    | LOUIS VUITTON MALLETTIER         | N   |
| THK0300130 | 20030318 | 20120207 | ESNA  | LOUIS VUITTON MALLETTIER         | N   |
| THK0300129 | 20030318 | 20121009 | SABRITAS  | CUBAN CIGAR BRANDS N.Y.          | N   |
| THK0300128 | 20030318 | 20110709 | SAPPHIRE  | MACLEAN INDUSTRIAL, L.L.C.       | N   |
| THK0300127 | 20030318 | 20110314 | BOMBAY SAPPHIRE                                       | RECOT, INC.                      | N   |
| THK0300126 | 20030318 | 20121125 | CHRISTIAN DIOR  | BACARDI & COMPANY LIMITED        | N   |
| THK0300125 | 20030318 | 20111207 | CONFIGURATION OF A HEAD OF A NAIL                     | BACARDI & COMPANY LIMITED        | N   |
| THK0300124 | 20030318 | 20120114 | DESIGN (TWO HANDS SHAKING)                            | CHRISTIAN DIOR COUTURE, S.A.     | N   |
| THK0300123 | 20030318 | 20121124 | SWISS ARMY  | SIMPLEX NAILS, INC.              | N   |
| THK0300122 | 20030318 | 20121222 | OFFICER'S   | AMERICAN TOOL COMPANIES, INC.    | N   |
| THK0300121 | 20030320 | 20061102 | CHARLES CHIPS & DESIGN (STYLIZED)                     | SWISS ARMY BRAND LTD.            | N   |
| THK0300120 | 20030320 | 20051210 | CHARLES PRETZELS & DESIGN (STYLIZED)                  | SWISS ARMY BRAND LTD.            | N   |
| THK0300119 | 20030320 | 20051210 | CANISTER DESIGN                                       | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300118 | 20030320 | 20070310 | CHARLES COOKIES & DESIGN (STYLIZED)                   | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300117 | 20030320 | 20070125 | DESIGN (MAN PLAYING A TRUMPET)                        | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300116 | 20030320 | 20050108 | ERICSSON (PLUS STYLIZED E DESIGN)                     | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300115 | 20030320 | 20091005 | KSCHELANEOUS DESIGN                                   | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300114 | 20030320 | 20121127 | RUSSELL CHARACTER IMAGE                               | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300113 | 20030321 | 20121228 | TAYLOR (STYLIZED)                                     | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300112 | 20030321 | 20121228 | KITCHENAID MIXER DESIGN                               | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300111 | 20030321 | 20120901 | WHIRLPOOL   | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300110 | 20030321 | 20120706 | MICROSOFT   | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300109 | 20030321 | 20120706 | DESIGN (CONFIGURATION OF A LIQUID DISPENSING FAUCET)  | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300108 | 20030321 | 20070506 | OSTER (STYLIZED)                                      | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300107 | 20030321 | 20120622 | MISCELLANEOUS DESIGN (HONEYCOMB & GINSENG ROOT)       | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300106 | 20030324 | 20130713 | DUPLO   | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300105 | 20030324 | 20120914 | COOL MINT LISTERINE                                   | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300104 | 20030324 | 20121027 | FOOT JOY  | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300103 | 20030324 | 20120615 | ARROW LOGO  | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300102 | 20030324 | 20120801 | SKWISH  | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300101 | 20030324 | 20121117 | OSIRIS AND DESIGN                                     | CHARLES CHIPS ENTERPRISES, INC.  | N   |
| THK0300192 | 20030324 | 20120312 | OSIRIS AND DESIGN                                     | CHARLES CHIPS ENTERPRISES, INC.  | N   |



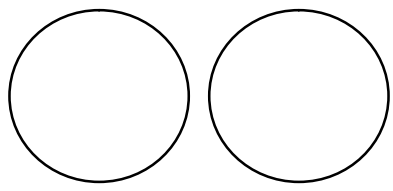
U.S. CUSTOMS SERVICE  
IPR RECORDATIONS ADDED IN MARCH 2003

06/10/2003  
13:07:50

| REC NUMBER | EFF DT   | EXP DT   | NAME OF COP, TMK, TNM OR MSK      | OWNER NAME                      | RES |
|------------|----------|----------|-----------------------------------|---------------------------------|-----|
| TMK0300193 | 20030324 | 20121217 | DESIGN (TWO-BALL PUTTER)          | CALLAWAY GOLF COMPANY           | N   |
| TMK0300194 | 20030324 | 20120212 | TRI-MOUNTAIN AND DESIGN           | MOUNTAIN GEAR CORPORATION       | N   |
| TMK0300195 | 20030325 | 20121012 | HI-HEALTH AND DESIGN              | HI-HEALTH SUPERMART CORPORATION | N   |
| TMK0300196 | 20030325 | 20121201 | COTTON WITH DESIGN                | COTTON INC.                     | N   |
| TMK0300197 | 20030325 | 20121201 | COTTON WITH DESIGN                | COTTON INC.                     | N   |
| TMK0300198 | 20030325 | 20130104 | NATURAL BLEND                     | COTTON INC.                     | N   |
| TMK0300199 | 20030327 | 20121201 | LOTRIMIN AF STYLIZED              | SCHERING CORPORATION            | N   |
| TMK0300200 | 20030327 | 20050416 | BONGO                             | IP HOLDINGS LLC.                | N   |
| TMK0300201 | 20030327 | 20100410 | HALLOUMI                          | MINISTRY OF COMMERCE & INDUSTRY | N   |
| TMK0300202 | 20030327 | 20121010 | SANTA MOUSE                       | MICHAEL BROWN                   | N   |
| TMK0300203 | 20030327 | 20121009 | GOLDFISH                          | PF BRANDS INC..                 | N   |
| TMK0300204 | 20030327 | 20120604 | CHAP STICK                        | WYETH                           | N   |
| TMK0300205 | 20030327 | 20080815 | TODAY                             | WYETH                           | N   |
| TMK0300206 | 20030327 | 20120901 | TOMORROW (BOLD LETTERING)         | WYETH                           | N   |
| TMK0300207 | 20030327 | 20091214 | ETOGESIC                          | WYETH                           | N   |
| TMK0300208 | 20030327 | 20080719 | SYNOVEX                           | WYETH                           | N   |
| TMK0300209 | 20030327 | 20060923 | DURAMUNE                          | WYETH                           | N   |
| TMK0300210 | 20030327 | 20111217 | POLYFLEX                          | WYETH                           | N   |
| TMK0300211 | 20030327 | 20080602 | PROHEART                          | BREED TECHNOLOGIES INC.         | N   |
| TMK0300212 | 20030327 | 20121229 | MOMO AND DESIGN                   | MICHAEL BROWN                   | N   |
| TMK0300213 | 20030327 | 20121229 | SANTA MOUSE                       | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300214 | 20030327 | 20120306 | ROARY LIFT AND DESIGN             | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300215 | 20030327 | 20110410 | ROARY LIFT                        | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300216 | 20030327 | 20121022 | ROARY AND DESIGN                  | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300217 | 20030327 | 20120514 | ROARY INBAY TECHNOLOGY AND DESIGN | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300218 | 20030327 | 20120423 | ROARY AND DESIGN                  | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300219 | 20030327 | 20120401 | ROARY                             | DELAWARE CAPITAL FORMATION INC. | N   |
| TMK0300220 | 20030327 | 20121105 | ORIGINAL JAZZ CLASSICS AND DESIGN | FANTASY INC.                    | N   |
| TMK0300221 | 20030327 | 20100619 | DRYJOYS                           | ACUSHNET COMPANY                | N   |
| TMK0300222 | 20030327 | 20100321 | FIREHEAD DESIGN                   | S.F. DELUXE PRODUCTIONS INC.    | N   |
| TMK0300223 | 20030327 | 20101010 | FIREHEAD DESIGN                   | S.F. DELUXE PRODUCTIONS INC.    | N   |
| TMK0300224 | 20030327 | 20110925 | FIREHEAD DESIGN                   | S.F. DELUXE PRODUCTIONS INC.    | N   |
| TMK0300225 | 20030327 | 20110306 | SPLITFIRE                         | S.F. DELUXE PRODUCTIONS INC.    | N   |
| TMK0300226 | 20030327 | 20110501 | SPLITFIRE                         | S.F. DELUXE PRODUCTIONS INC.    | N   |

SUBTOTAL RECORDATION TYPE 115

TOTAL RECORDATIONS ADDED THIS MONTH 129



BUREAU OF CUSTOMS AND BORDER PROTECTION

5

RECEIPT OF AN APPLICATION FOR  
“LEVER-RULE” PROTECTION

AGENCY: Bureau of Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: Notice of receipt of application for “Lever-Rule” protection.

SUMMARY: Pursuant to 19 CFR 133.2(f), this notice advises interested parties that CBP has received an application from Canon U.S.A., Inc. seeking “Lever-Rule” protection.

FOR FURTHER INFORMATION CONTACT: Rachel S. Bae, Esq., Intellectual Property Rights Branch, Office of Regulations & Rulings, (202) 572-8875.

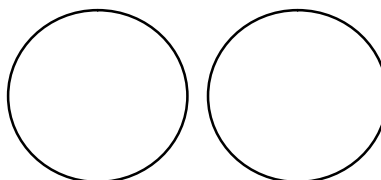
SUPPLEMENTARY INFORMATION:

BACKGROUND

Pursuant to 19 CFR 133.2(f), this notice advises interested parties that CBP has received an application from Canon U.S.A., Inc. seeking “Lever-Rule” protection. Protection is sought against importations of fax toner cartridges not authorized for sale in the United States that bear the Canon trademark (U.S. Patent & Trademark Office Registration No. 1,315,232; CBP Recordation No. TMK 98-00807). Pursuant to 19 CFR 133.2(f), CBP will publish an additional notice in the CBP indicating if the trademark will receive Lever-Rule protection in the event that CBP determines that the subject fax toner cartridges are physically and materially different from the fax toner cartridge authorized for sale in the United States.

Dated: April 21, 2003.

GEORGE FREDERICK McCRAY, ESQ.,  
*Chief, Intellectual Property Rights Branch,*  
*Office of Regulations and Rulings.*



## PROPOSED COLLECTION; COMMENT REQUEST

### ADMINISTRATIVE RULINGS

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Administrative Rulings. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

#### SUPPLEMENTARY INFORMATION:

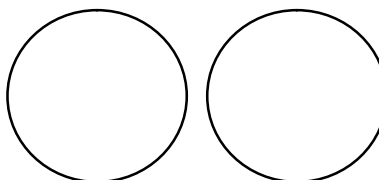
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Administrative Rulings

*OMB Number:* 1651-0085

*Form Number:* N/A

*Abstract:* This collection is necessary in order for CBP to respond to requests by importers and other interested persons for the issuance of administrative rulings regarding the interpretation of CBP laws with respect to prospective and current transactions.



BUREAU OF CUSTOMS AND BORDER PROTECTION

7

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses/Institutions

*Estimated Number of Respondents:* 12,200

*Estimated Time Per Respondent:* 10 hours

*Estimated Total Annual Burden Hours:* 128,000

*Estimated Total Annualized Cost on the Public:* \$12,800,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19560)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### DELIVERY TICKET

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Delivery Ticket (Form 6043). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

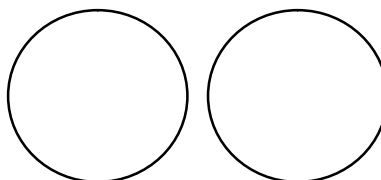
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of



information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Delivery Ticket (Form 6043)

*OMB Number:* 1651-0081

*Form Number:* Form 6043

*Abstract:* This collection is intended to cover a warehouse proprietor's receipt of transport to the warehouse from custody of the arriving carrier.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses/Institutions

*Estimated Number of Respondents:* 200

*Estimated Time Per Respondent:* 20 minutes

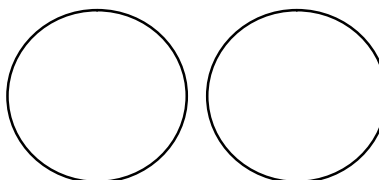
*Estimated Total Annual Burden Hours:* 6,600

*Estimated Total Annualized Cost on the Public:* \$82,500

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19560)]





PROPOSED COLLECTION; COMMENT REQUEST  
IMPORTERS ID INPUT RECORD

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Importers ID Input Record. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

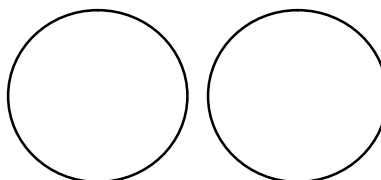
*Title:* Importers ID Input Record

*OMB Number:* 1651-0064

*Form Number:* Form 5106

*Abstract:* This document is filed with the first formal entry which is submitted or the first request for services that will result in the issuance of a bill or a refund check upon adjustment of a cash collection.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.



*Type of Review:* Extension (without change)  
*Affected Public:* Businesses/Institutions  
*Estimated Number of Respondents:* 500  
*Estimated Time Per Respondent:* 6 minutes  
*Estimated Total Annual Burden Hours:* 100  
*Estimated Total Annualized Cost on the Public:* \$13,750

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19559)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### APPLICATION TO ESTABLISH CENTRALIZED EXAMINATION STATION

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Application to Establish Centralized Examination Station. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

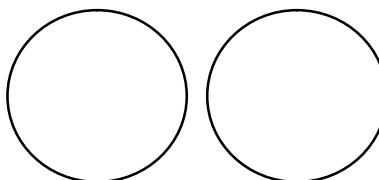
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1426.

### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical util-



ity; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Application to Establish Centralized Examination Station

*OMB Number:* 1651-0061

*Form Number:* N/A

*Abstract:* If a port director decides their port needs one or more Centralized Examination Stations (CES), they solicit applications to operate a CES. The information contained in the application will be used to determine the suitability of the applicant's facility, the fairness of his fee structure, his knowledge of cargo handling operations and his knowledge of CBP procedures.

*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 50

*Estimated Time Per Respondent:* 2 hours (120 minutes)

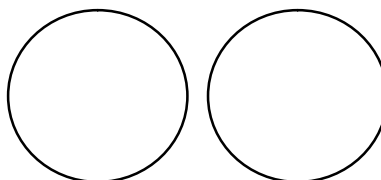
*Estimated Total Annual Burden Hours:* 100

*Estimated Total Annualized Cost on the Public:* N/A

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19559)]



## PROPOSED COLLECTION; COMMENT REQUEST

### CERTIFICATE OF REGISTRATION

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Certificate of Registration. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Border of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

#### SUPPLEMENTARY INFORMATION:

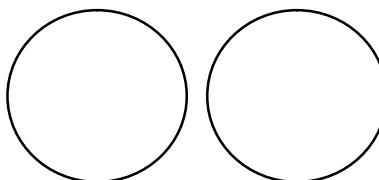
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Certificate of Registration

*OMB Number:* 1651-0010

*Form Number:* Forms 4455 and 4457

*Abstract:* The Certificate of Registration is used to expedite free entry or entry at a reduced rate on foreign made personal articles which are taken abroad. The articles are dutiable each time they are brought into the United States unless there is acceptable proof of prior possession.



BUREAU OF CUSTOMS AND BORDER PROTECTION

13

*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Individuals, travelers.

*Estimated Number of Respondents:* 200,000

*Estimated Time Per Respondent:* 3 minutes

*Estimated Total Annual Burden Hours:* 10,000

*Estimated Total Annualized Cost on the Public:* \$104,500

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19558)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### SERIALLY NUMBERED SUBSTANTIAL HOLDERS OR CONTAINERS

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Serially Numbered Substantial Holders or Containers. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

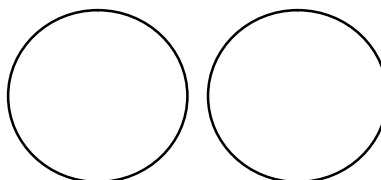
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of



information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Serially Numbered Substantial Holders or Containers

*OMB Number:* 1651-0035

*Form Number:* N/A

*Abstract:* The marking is used to provide for duty free entry of holders or containers which were manufactured in the United States and exported and returned without having been advanced in value or improved in condition by ant process or manufacture. The regulations provide for duty free entry of holders or containers of foreign manufacture if duty has been paid before.

*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Institutions

*Estimated Number of Respondents:* 20

*Estimated Time Per Respondent:* 4.5 hours

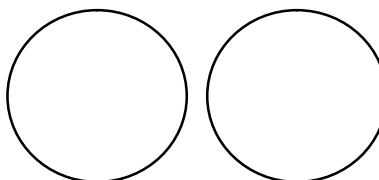
*Estimated Total Annual Burden Hours:* 90

*Estimated Total Annualized Cost on the Public:* \$1,080

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19558)]



PROPOSED COLLECTION; COMMENT REQUEST  
EXPORTATION OF USED SELF-PROPELLED VEHICLES

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Exportation of Used Self-Propelled Vehicles. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

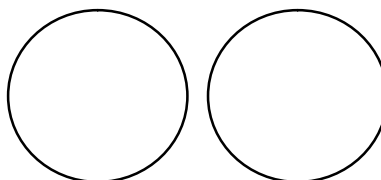
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document, the CBP is soliciting comments concerning the following information collection:

*Title:* Exportation of Used-Propelled Vehicles

*OMB Number:* 1651-0054

*Form Number:* None

*Abstract:* The Exportation of Used-Propelled Vehicles requires the submission of documents verifying vehicle ownership of exporters for exportation of vehicles in the United States.



*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Individuals, Businesses.

*Estimated Number of Respondents:* 600,000

*Estimated Time Per Respondent:* 10 minutes

*Estimated Total Annual Burden Hours:* 100,000

*Estimated Total Annualized Cost on the Public:* \$1,700,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19557)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### PETROLEUM REFINERIES IN FOREIGN TRADE SUBZONES

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning Petroleum Refineries in Foreign Trade Subzones. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

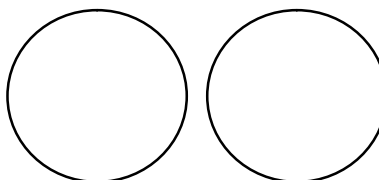
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of





information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Petroleum Refineries in Foreign Trade Subzones

*OMB Number:* 1651-0063

*Form Number:* None

*Abstract:* The Petroleum Refineries in Foreign Trade Subzones is a rule that amended the regulations by adding special procedures and requirements governing the operations of crude petroleum and refineries approved as foreign trade zones.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Business or other for-profit.

*Estimated Number of Respondents:* 18

*Estimated Time Per Respondent:* 732

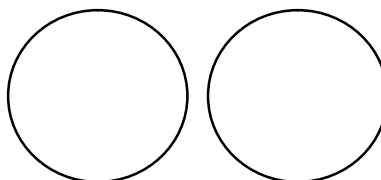
*Estimated Total Annual Burden Hours:* 13,176

*Estimated Total Annualized Cost on the Public:* \$329,400

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19557)]



## PROPOSED COLLECTION; COMMENT REQUEST

### IMPORTERS DECLARATION/SHIPPERS DECLARATION

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning Importers Declaration/ Shippers Declaration. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Attn.: Tracey Denning, 1300 Pennsylvania Avenue, NW, Room 3.2C, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, 1300 Pennsylvania Avenue NW, Room 3.2C, Washington, D.C. 20229, Tel. (202) 927-1429.

### SUPPLEMENTARY INFORMATION:

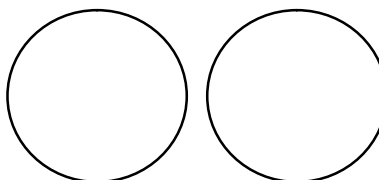
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Importer's Declaration/Shipper's Declaration

*OMB Number:* 1651-0068

*Form Number:* N/A

*Abstract:* These declarations are related to the legal requirements and procedures which must be followed in order to obtain duty-free treatment on articles imported into the Customs territory of the United States from the insular possession.



BUREAU OF CUSTOMS AND BORDER PROTECTION

19

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 310

*Estimated Time Per Respondent:* 10 minutes

*Estimated Total Annual Burden Hours:* 31

*Estimated Total Annualized Cost on the Public:* \$410.00

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19556)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

APPLICATION/PERMIT/SPECIAL LICENSE,  
UNLADING/LADING OVERTIME SERVICE

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Application/Permit/Special License, Unlading/Lading Overtime Service. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

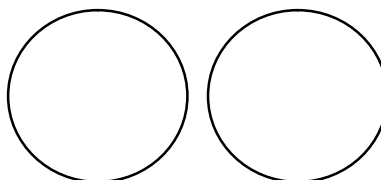
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Branch, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to U.S. Customs Service, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C.



3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Application/Permit/Special License, Unlading/Lading Overtime Service

*OMB Number:* 1651-0005

*Form Number:* Form 3171

*Abstract:* Form 3171, is used by commercial carriers and importers as a request for permission to unlade imported merchandise, baggage, or passengers and for overtime services of CBP officers in connection with lading or unlading of merchandise, or the entry or clearance of a vessel, including the boarding of a vessel for preliminary supplies, ship's stores, sea stores, or equipment not to be reladen, which is subject to free or duty-paid entry.

*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 1,500

*Estimated Time Per Respondent:* 6 minutes

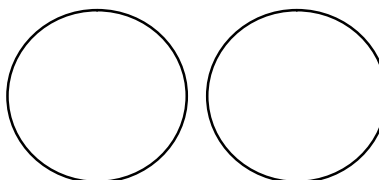
*Estimated Total Annual Burden Hours:* 39,900

*Estimated Total Annualized Cost on the Public:* \$438,900

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19556)]



PROPOSED COLLECTION; COMMENT REQUEST

PROTEST

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Protest. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

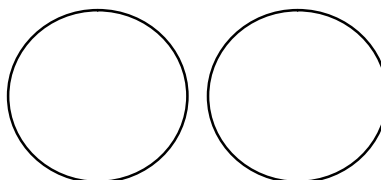
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Protest

*OMB Number:* 1651-0017

*Form Number:* Form 19

*Abstract:* This collection is used by an importer, filer, or any party at interest to petition CBP, or Protest, any action or charge, made by the port director on or against any; imported merchandise, merchandise excluded from entry, or merchandise entered into or withdrawn from a bonded warehouse.



*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 3,750

*Estimated Time Per Respondent:* 30 minutes

*Estimated Total Annual Burden Hours:* 67,995

*Estimated Total Annualized Cost on the Public:* \$1,167,247

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19555)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### CREW MEMBERS DECLARATION

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Crew Members Declaration. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

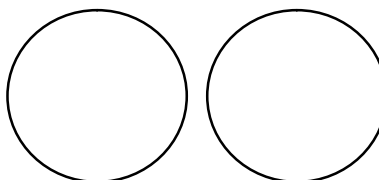
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of



information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Crew Members Declaration

*OMB Number:* 1651-0021

*Form Number:* Form 5129

*Abstract:* This document is used to accept and record importations of merchandise by crew members, and to enforce agricultural quarantines, the currency reporting laws, and the revenue collection laws.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Individuals

*Estimated Number of Respondents:* 5,968,351

*Estimated Time Per Respondent:* 3 minutes

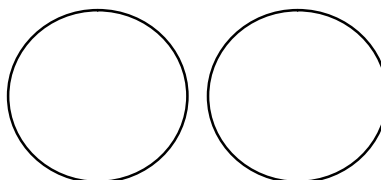
*Estimated Total Annual Burden Hours:* 298,418

*Estimated Total Annualized Cost on the Public:* \$5,968,360

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19555)]



### PROPOSED COLLECTION; COMMENT REQUEST

APPLICATION FOR FOREIGN TRADE ZONE ADMISSION AND/OR STATUS TRANSACTION, APPLICATION FOR FOREIGN TRADE ZONE ACTIVITY REPORT

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, The Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Application for Foreign Trade Zone Admission and/or Status Transaction, Application for Foreign Trade Zone Activity Report. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Branch, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1426.

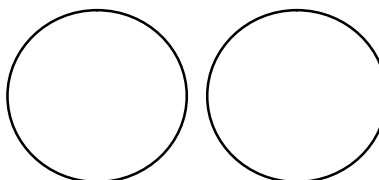
#### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Application for Foreign Trade Zone Admission and/or Status Transaction, Application for Foreign Trade Zone Activity Report

*OMB Number:* 1651-0029

*Form Number:* Forms 214, 214A, 214B, 214C, and 216





BUREAU OF CUSTOMS AND BORDER PROTECTION

25

*Abstract:* Forms 214, 214A, 214B, and 214C, Application for Foreign-Trade Zone Admission and/or Status Designation, are used by business firms which bring merchandise into a foreign trade zone, to register the admission of such merchandise to zones and to apply for the appropriate zone status.

*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 10,000

*Estimated Time Per Respondent:* 15 minutes

*Estimated Total Annual Burden Hours:* 79,500

*Estimated Total Annualized Cost on the Public:* \$2,000,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19554)]

---

#### PROPOSED COLLECTION; COMMENT REQUEST

FOREIGN ASSEMBLER'S DECLARATION (WITH ENDORSEMENT BY IMPORTER)

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Foreign Assembler's Declaration (with Endorsement by Importer). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

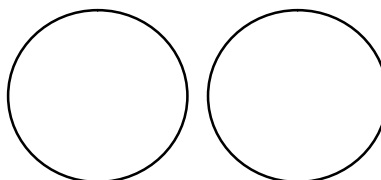
**DATES:** Written comments should be received on or before June 20, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant



to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Foreign Assembler's Declaration (with Endorsement by Importer)

*OMB Number:* 1651-0031

*Form Number:* N/A

*Abstract:* The Foreign Assembler's Declaration with Importer's Endorsement is used by CBP to substantiate a claim for duty free treatment of U.S. fabricated components sent abroad for assembly and subsequently returned to the United States.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals

*Estimated Number of Respondents:* 2,730

*Estimated Time Per Respondent:* 50 minutes

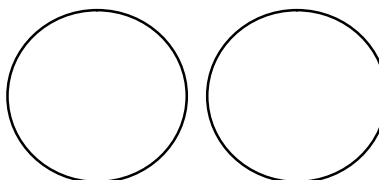
*Estimated Total Annual Burden Hours:* 302,402

*Estimated Total Annualized Cost on the Public:* \$3,860,608.00

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 21, 2003 (68 FR 19554)]



PROPOSED COLLECTION; COMMENT REQUEST

APPLICATION FOR ALLOWANCE IN DUTIES

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Application for Allowance in Duties. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 24, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Branch, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

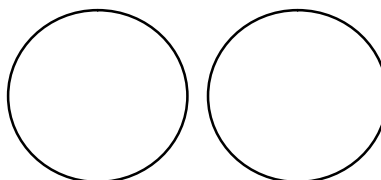
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Application for Allowance in Duties

*OMB Number:* 1651-0007

*Form Number:* Form 4315

*Abstract:* This collection is required by the CBP in instances of claims of damaged or defective merchandise on which an allowance in duty is made in the liquidation of the entry. The information is used to substantiate importer's claims for such duty allowances.



*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 12,000

*Estimated Time Per Respondent:* 8 minutes

*Estimated Total Annual Burden Hours:* 1,600

*Estimated Total Annualized Cost on the Public:* \$29,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 25, 2003 (68 FR 20397)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### DECLARATION FOR FREE ENTRY OF UNACCOMPANIED ARTICLES

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Declaration for Free Entry of Unaccompanied Articles. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

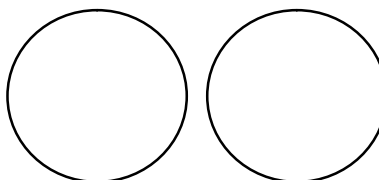
**DATES:** Written comments should be received on or before June 24, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1426.

### SUPPLEMENTARY INFORMATION:

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of



information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Declaration for Free Entry of Unaccompanied Articles

*OMB Number:* 1651-0014

*Form Number:* Form 3299

*Abstract:* The Declaration for Free Entry of Unaccompanied Articles, Form 3299, is prepared by the individual or the broker acting as agent for the individual, or in some cases, the CBP officer. It serves as a declaration for duty-free entry of merchandise under one of the applicable provisions of the tariff schedule.

*Current Actions:* There are no changes to the information collection. This submission is being submitted to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals, Institutions

*Estimated Number of Respondents:* 10,000

*Estimated Time Per Respondent:* 10 minutes

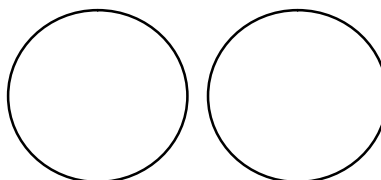
*Estimated Total Annual Burden Hours:* 25,000

*Estimated Total Annualized Cost on the Public:* \$660,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 25, 2003 (68 FR 20397)]



## PROPOSED COLLECTION; COMMENT REQUEST

### DECLARATION OF FREE ENTRY OF RETURNED AMERICAN PRODUCTS

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Declaration of Free entry of Returned American Products. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 24, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

#### SUPPLEMENTARY INFORMATION:

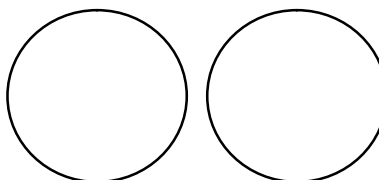
CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Declaration of Free entry of Returned American Products

*OMB Number:* 1651-0011

*Form Number:* Form 3311

*Abstract:* This collection of information is used as a supporting documents which substantiates the claim for duty free status for returning American products.



BUREAU OF CUSTOMS AND BORDER PROTECTION

31

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Businesses, Individuals,

*Estimated Number of Respondents:* 12,000

*Estimated Time Per Respondent:* 6 minutes

*Estimated Total Annual Burden Hours:* 51,000

*Estimated Total Annualized Cost on the Public:* \$198,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 25, 2003 (68 FR 20396)]

---

## PROPOSED COLLECTION; COMMENT REQUEST

### FREE ADMITTANCE UNDER CONDITIONS OF EMERGENCY

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border Protection (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Free Admittance Under Conditions of Emergency. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

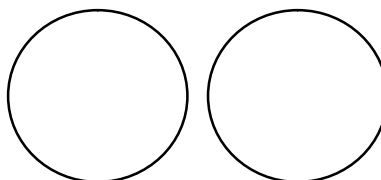
**DATES:** Written comments should be received on or before June 24, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Bureau of Customs and Border Protection, Service, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

### SUPPLEMENTARY INFORMATION:

BCP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of



information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document the BCP is soliciting comments concerning the following information collection:

*Title:* Free Admittance Under Conditions of Emergency

*OMB Number:* 1651-0044

*Form Number:* N/A

*Abstract:* This collection of information will be used in the event of emergency or catastrophic event to monitor goods temporarily admitted for the purpose of rescue or relief.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.

*Type of Review:* Extension (without change)

*Affected Public:* Nonprofit Assistance Organizations

*Estimated Number of Respondents:* 1

*Estimated Time Per Respondent:* 1 minute

*Estimated Total Annual Burden Hours:* 1

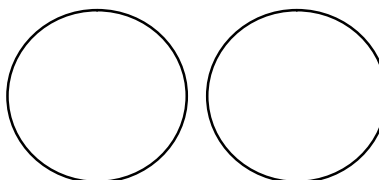
*Estimated Total Annualized Cost on the Public:* N/A

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*Information Services Branch.*

[Published in the Federal Register, April 25, 2003 (68 FR 20396)]

---





PROPOSED COLLECTION; COMMENT REQUEST

HARBOR MAINTENANCE FEE

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Bureau of Customs and Border (CBP) invites the general public and other Federal agencies to comment on an information collection requirement concerning the Harbor Maintenance Fee. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

**DATES:** Written comments should be received on or before June 24, 2003, to be assured of consideration.

**ADDRESS:** Direct all written comments to the Bureau of Customs and Border Protection, Information Services Group, Room 3.2.C, 1300 Pennsylvania Avenue, NW, Washington, D.C. 20229.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the Bureau of Customs and Border Protection, Attn.: Tracey Denning, Room 3.2.C, 1300 Pennsylvania Avenue NW, Washington, D.C. 20229, Tel. (202) 927-1429.

**SUPPLEMENTARY INFORMATION:**

CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)). The comments should address: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

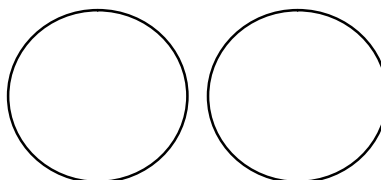
*Title:* Harbor Maintenance Fee

*OMB Number:* 1651-0055

*Form Number:* Forms 349 and 350

*Abstract:* This collection of information will be used to verify that the Harbor Maintenance Fee paid is accurate and current for each individual, importer, exporter, shipper, or cruise line.

*Current Actions:* There are no changes to the information collection. This submission is to extend the expiration date.



*Type of Review:* Extension (without change)  
*Affected Public:* Businesses, Institutions  
*Estimated Number of Respondents:* 625,900  
*Estimated Time Per Respondent:* 30 minutes  
*Estimated Total Annual Burden Hours:* 1,250,000  
*Estimated Total Annualized Cost on the Public:* \$1,875,000

Dated: April 14, 2003.

TRACEY DENNING,  
*Agency Clearance Officer,  
Information Services Branch.*

[Published in the Federal Register, April 25, 2003 (68 FR 20395)]

---

NOTICE OF CANCELLATION OF CUSTOMS BROKER LICENSE

AGENCY: Bureau of Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: General notice.

SUMMARY: Pursuant to section 641 of the Tariff Act of 1930, as amended, (19 USC 1641) and the Customs Regulations (19 CFR 111.51), the following Customs broker license and any and all associated local and national permits are canceled without prejudice.

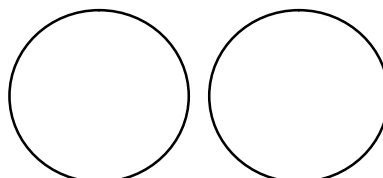
| <i>Name</i>                    | <i>License No.</i> | <i>Issuing Port</i> |
|--------------------------------|--------------------|---------------------|
| Transoceanic Shipping Co. .... | 4675               | Houston             |
| Richard M. Nakamoto .....      | 6234               | San Francisco       |

These brokers hold multiple Customs broker licenses. They continue to hold other valid Customs broker licenses.

Dated: April 14, 2003.

JAYSON P. AHERN,  
*Assistant Commissioner,  
Office of Field Operations.*

[Published in the Federal Register, April 21, 2003 (68 FR 19562)]



NOTICE OF CANCELLATION OF CUSTOMS BROKER LICENSE

AGENCY: Bureau of Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: General notice.

SUMMARY: Pursuant to section 641 of the Tariff Act of 1930, as amended, (19 USC 1641) and the Customs Regulations (19 CFR 111.51), the following Customs broker license and any and all associated local and national permits are canceled without prejudice:

| <i>Name</i>                                  | <i>License No.</i> | <i>Issuing Port</i> |
|--|--------------------|---------------------|
| San Jose Customs Brokers, Inc. ....          | 11895              | San Francisco       |
| Stein Customs Consulting Services, Inc. .... | 13849              | Seattle             |
| Tania McCormack .....                        | 5302               | San Francisco       |
| Larry D. Tonsager .....                      | 4196               | Portland, OR        |
| Alton H. Ward .....                          | 4595               | Portland, ME        |

Dated: April 14, 2003.

JAYSON P. AHERN,  
*Assistant Commissioner,  
Office of Field Operations.*

[Published in the Federal Register, April 21, 2003 (68 FR 19562)]

CANCELLATION OF CUSTOMS BROKER LICENSE  
DUE TO DEATH OF THE LICENSE HOLDER

AGENCY: Bureau of Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: General notice.

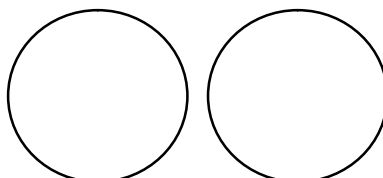
SUMMARY: Notice is hereby given that, pursuant to 19 CFR 111.51(a), the following individual Customs broker license and any and all associated permits have been cancelled due to the death of the broker:

| <i>Name</i>                     | <i>License No.</i> | <i>Issuing Port</i> |
|---------------------------------|--------------------|---------------------|
| George Douglas Cunningham ..... | 2970               | Mobile              |
| Ravi D. Phadnis .....           | 13452              | Seattle             |
| Stanley C. McKenny .....        | 3141               | Detroit             |

Dated: April 14, 2003.

JAYSON P. AHERN,  
*Assistant Commissioner,  
Office of Field Operations.*

[Published in the Federal Register, April 21, 2003 (68 FR 19561)]



RETRACTION OF REVOCATION NOTICE

AGENCY: Bureau of Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: General notice.

SUMMARY: The following Customs broker licenses were erroneously included in a list of revoked Customs broker licenses.

---

| <i>Name</i>                   | <i>License No.</i> | <i>Issuing Port</i> |
|-------------------------------|--------------------|---------------------|
| Lindsey Forwarders, Inc. .... | 14223              | Portland, OR        |
| Judith Demeron .....          | 9637               | Chicago             |

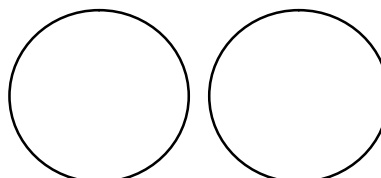
---

Customs broker license Nos. 14223 and 9637 remain valid.

Dated: April 14, 2003.

JAYSON P. AHERN,  
*Assistant Commissioner,*  
*Office of Field Operations.*

[Published in the Federal Register, April 21, 2003 (68 FR 19562)]



BUREAU OF CUSTOMS AND BORDER PROTECTION

37

DEPARTMENT OF HOMELAND SECURITY,  
OFFICE OF THE COMMISSIONER OF CUSTOMS,  
*Washington, DC, April 21, 2003.*

The following documents of the Bureau of Customs and Border Protection ("CBP"), Office of Regulations and Rulings, have been determined to be of sufficient interest to the public and CBP field offices to merit publication in the CUSTOMS BULLETIN.

LARRY L. BURTON,  
(for Michael T. Schmitz, Assistant Commissioner,  
Office of Regulations and Rulings.)

---

PROPOSED REVOCATION OF CLASSIFICATION LETTER  
AND REVOCATION OF TREATMENT RELATING TO  
CLASSIFICATION OF FEATHER BOAS

AGENCY: Bureau of Customs and Border Protection, Dept. of Homeland Security.

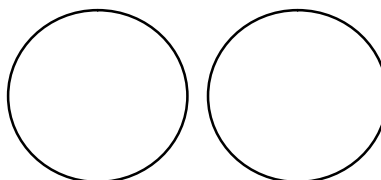
ACTION: Notice of proposed revocation of one ruling letter and revocation of treatment relating to the classification of feather boas.

SUMMARY: Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. 1625(c)), as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), this notice advises interested parties that Customs and Border Protection (CBP) intends to modify a ruling letter relating to the classification of feather boas under the Harmonized Tariff Schedule of the United States Annotated (HTSUS). Similarly, CBP is revoking any treatment previously accorded by it to substantially identical merchandise.

DATE: Comments must be received on or before June 6, 2003.

ADDRESS: Written comments are to be addressed to Bureau of Customs and Border Protection, Office of Regulations and Rulings, Attention: Regulations Branch, 1300 Pennsylvania Avenue, N.W., Washington, D.C. 20229. Submitted comments may be inspected at Customs and Border Protection, 799 9<sup>th</sup> Street, N.W., Washington, D.C., during regular business hours. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 572-8768.

FOR FURTHER INFORMATION CONTACT: Teresa Frazier, Textiles Branch, at (202) 572-8824.



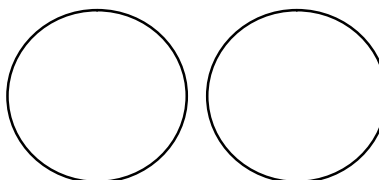
SUPPLEMENTARY INFORMATION:

BACKGROUND

On December 8, 1993, Title VI (Customs Modernization), of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057) (hereinafter "Title VI"), became effective. Title VI amended many sections of the Tariff Act of 1930, as amended, and related laws. Two new concepts which emerge from the law are "**informed compliance**" and "**shared responsibility.**" These concepts are premised on the idea that in order to maximize voluntary compliance with Customs laws and regulations, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the law imposes a greater obligation on CBP to provide the public with improved information concerning the trade community's responsibilities and rights under Customs and related laws. In addition, both the trade and CBP share responsibility in carrying out import requirements. For example, under section 484 of the Tariff Act of 1930, as amended (19 U.S.C. 1484), the importer of record is responsible for using reasonable care to enter, classify and value imported merchandise, and provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics and determine whether any other applicable legal requirement is met.

Pursuant to section 625(c)(1), Tariff Act of 1930 (19 U.S.C. 1625(c)(1)), as amended by section 623 of Title VI, this notice advises interested parties that CBP intends to revoke a ruling letter relating to the tariff classification of feather boas. Although in this notice CBP is specifically referring to the modification of New York Ruling Letter (NY) C88185, dated June 5, 1998 (Attachment "A"), this notice covers any rulings on this merchandise which may exist but have not been specifically identified. CBP has undertaken reasonable efforts to search existing databases for rulings in addition to the ones identified. No further rulings have been found. Any party who has received an interpretive ruling or decision (*i.e.*, ruling letter, internal advice memorandum or decision or protest review decision) on the merchandise subject to this notice, should advise CBP during this notice period.

Similarly, pursuant to section 625(c)(2), Tariff Act of 1930 (19 U.S.C. 1625(c)(2)), as amended by section 623 of Title VI, CBP intends to revoke any treatment previously accorded by CBP to substantially identical merchandise. This treatment may, among other reasons, be the result of the importer's reliance on a ruling issued to a third party, CBP's personnel applying a ruling of a third party to importations of the same or similar merchandise, or the importer's or CBP's previous interpretation of the HTSUSA. Any person involved with substantially identical merchandise should advise CBP during this notice period. An importer's failure to advise CBP of substantially identical merchandise or of a specific ruling not identified in this notice, may raise issues of reasonable care on the part of the importer or its agents for importations of



merchandise subsequent to the effective date of the final decision on this notice.

In NY C88185 dated June 5, 1998, Customs classified a "Dazzling Dreams Feather Boa" as a festive article in subheading 9505.90.6000, Harmonized Tariff Schedule of the United States Annotated.

In C88185, the boa's classification was based on whether it was of a flimsy construction and lacking durability and generally not recognized as a normal apparel article. Upon review of this ruling, CBP has determined that the merchandise's classification as a festive article was incorrect. Rather, Customs finds the classification should be as an article of feathers within heading 6701, HTSUSA.

Pursuant to 19 U.S.C. 1625(c)(1), CBP intends to revoke NY C88185 and any other rulings not specifically identified to reflect the proper classification pursuant to the analysis set forth in proposed Headquarters Ruling Letters HQ 965912 (Attachment "B"). Additionally, pursuant to 19 U.S.C. 1625(c)(2), CBP intends to revoke any treatment previously accorded by CBP to substantially identical transactions. Before taking this action, consideration will be given to any written comments timely received.

Dated: April 9, 2003.

GAIL A. HAMILL,  
(for Myles B. Harmon, Director,  
Commercial Rulings Division.)

[Attachments]

---

[ATTACHMENT A]

DEPARTMENT OF HOMELAND SECURITY,  
BUREAU OF CUSTOMS AND BORDER PROTECTION,  
*New York, NY, June 5, 1998.*  
CLA-2-95:RR:NC:SP:225 C88185  
Category: Classification  
Tariff No. 9505.90.6000

MR. KIM YOUNG  
BDP INTERNATIONAL INC.  
2721 Walker NW  
Grand Rapids, MI 49504

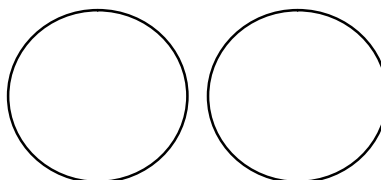
Re: The tariff classification of a child's feather boa from China.

DEAR MR. YOUNG:

In your letter dated May 20, 1998 you requested a tariff classification ruling on behalf of your client Meijer, Inc.

A sample of the "Dazzling Dreams Feather Boa," item #862335, was submitted with your inquiry. The article is made up of turkey feathers and measures five feet in length. The boa is available in purple, pink and white colors. It will be imported wrapped around a hanger-style cardboard for display purposes.

The boa is considered to be of flimsy construction, lacking in durability and generally is not recognized as being a normal article of apparel. It will be marketed for use by children



in playing "dress-up". Therefore, the item will qualify as an article of fancy dress within Chapter 95. Your sample is being returned as requested.

The applicable subheading for the "Dazzling Dreams Feather Boa," item #862335, will be 9505.90.6000, Harmonized Tariff Schedule of the United States (HTS), which provides for festive, carnival or other entertainment articles, including magic tricks and practical joke articles; parts and accessories thereof: other: other. The rate of duty will be free.

This ruling is being issued under the provisions of Part 177 of the Customs Regulations (19 C.F.R. 177).

A copy of the ruling or the control number indicated above should be provided with the entry documents filed at the time this merchandise is imported. If you have any questions regarding the ruling, contact National Import Specialist Alice J. Wong at 212-466-5538.

ROBERT B. SWIERUPSKI,  
*Director,*

*National Commodity Specialist Division.*

---

[ATTACHMENT B]

DEPARTMENT OF HOMELAND SECURITY,  
BUREAU OF CUSTOMS AND BORDER PROTECTION,  
*Washington, DC.*

CLA-2 RR:CR:GC 965912 TF  
Category: Classification  
Tariff No. 6701.00.3000

MR. KIM YOUNG  
BDP INTERNATIONAL, INC.  
2721 Walker NW  
Grand Rapids, MI 49504

Re: Revocation of NY C88185; children's feather boa; Chapter 95, HTSUSA; *Midwest of Cannon Falls, Inc. v. United States*; HQ 963561, dated January 24, 2002.

DEAR MR. YOUNG:

Pursuant to your request dated May 20, 1998 for a binding tariff classification ruling of certain children's feather boa on behalf of your client Meijer, Inc., Customs issued NY C88185, dated June 5, 1998. In NY C88185, Customs classified the subject children's feather boa as a festive article within subheading 9505.90.6000, Harmonized Tariff Schedule of the United States Annotated.

Upon review, the Bureau of Customs and Border Protection (CBP) has determined that the merchandise was erroneously classified. This ruling letter sets forth the correct classification determination.

NY C88185 is hereby revoked for the reasons set forth below.

*Facts:*

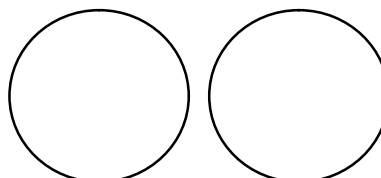
"Dazzling Dreams Feather Boa," item #862335, is made up of turkey feathers and measures five feet in length. The boa is available in purple, pink and white colors. It will be imported wrapped around a hanger-style cardboard for display purposes. It is indicated in the facts of NY C88185 that the article is marketed for use by children in playing "dress-up."

*Issue:*

What is the classification of the subject children's feather boa?

*Law and Analysis:*

Merchandise is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) in accordance with the General Rules of Interpretation (GRIs). GRI 1, HTSUS, provides that classification shall be determined according to the terms of the headings and any relative Section or Chapter Notes. In the event that the goods cannot be classified solely on the basis of GRI 1, HTSUS, and if the headings or notes do not require otherwise, the remaining GRIs 2 through 6, HTSUS, may be applied.





The Explanatory Notes (ENs) to the Harmonized Commodity Description and Coding System are the official interpretation of the Harmonized System at the international level. The ENs, although not dispositive provide a commentary on the scope of each heading of the HTSUS. See T.D. 89-80, 54 Fed. Reg. 35127, 35128 (August 23, 1989).

Chapter 67, HTSUSA, provides for, among other things, articles made of feathers. Heading 6701, HTSUSA, provides for “[s]kins and other parts of birds with their feathers or down, feathers, parts of feathers, down and articles thereof (other than goods of heading 0505 and worked quills and scapes).” EN 67.01(B)(3) states that heading 6701 includes “Trimmings made of birds, parts of birds, of feathers or down, for hats, boas [*emphasis added*], collars, capes or other articles of apparel or clothing accessories.”

Customs has previously classified feather boas within heading 6701, HTSUSA, see HQ 963561, dated January 24, 2002, referring to New York Ruling Letter NY A83686, dated July 3, 1996; Port Ruling Letter (PD) C83873, dated February 24, 1998; NY F80244, dated December 9, 1999; NY F82788, dated March 6, 2000; and NY F87231, dated June 15, 2000.

In HQ 963561, the importer contended that the boas were classifiable as festive articles under heading 9505, HTSUSA, on the basis that they were not apparel items, but Halloween costume accessories. The importer also claimed the boas were not the same as boas of heading 6701 because they were sold at a lower price, made of turkey feathers, lack substantial backing and when shaken, they would release dye when handled. In HQ 963561, Customs rejected the importer’s arguments and stated that in general, feather boas are not contemplated by the EN to heading 9505, HTSUSA.

An article may be classified in heading 9505 if it meets the “class or kind” criteria for festive articles as provided for in *Midwest of Cannon Falls, Inc. v. United States*, 122 F.3d 1423 (Fed. Cir. 1997). In this case, the Court addressed the scope of heading 9505, specifically the class or kind of merchandise termed “festive articles,” and provided new guidelines for classification of such goods in the heading. It then applied its conclusions to 29 specific articles to determine whether they were included within the scope of the class of “festive articles”. In general, merchandise is classifiable as a festive article in heading 9505, when the article, as a whole:

1. Is not predominately of precious or semiprecious stones, precious metal or metal clad with precious metal;
2. Functions primarily as a decoration or functional item used in the celebration of and for entertainment on a holiday; and
3. Is associated with or used on a particular holiday.

In this instance, although the subject boa is marketed for children to be used in playing “dress-up”, it fails to satisfy any of the *Midwest* criteria. We refer you to HQ 963561, which states, in pertinent part:

Feather boas are articles of feathers. Boas come in all sizes, lengths, colors and quality. All feather boas will be used the same way, regardless of quality, as an accessory or accent article to some outfit. Whether the feather boas [sic] is accessorizing a Las Vegas show girl, a Hollywood star, a Halloween beauty queen or a little girl’s dress up fantasy, it is being used the same way and should be classified uniformly.

Therefore, as the subject boa is not a festive article within heading 9505, and it is substantially similar to the boas in the aforementioned rulings, the subject boa is classifiable under subheading 6701.00.3000, HTSUSA, as an article of feathers.

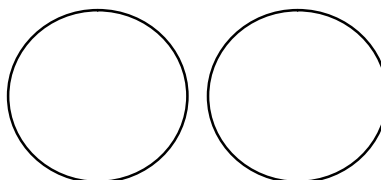
For your reference, HQ 963561 is Attachment C.

*Holding:*

NY C88185, dated June 5, 1998, is hereby revoked.

Based on the foregoing, the feather boa is classifiable under subheading 6701.00.3000, HTSUSA, which is the provision for articles of feathers. The applicable rate of duty is 4.7 percent *ad valorem*.

MYLES B. HARMON,  
*Director,*  
*Commercial Rulings Division.*



[ATTACHMENT C]

DEPARTMENT OF HOMELAND SECURITY,  
BUREAU OF CUSTOMS AND BORDER PROTECTION,  
*Washington, DC, January 24, 2002.*  
CLA-2 RR:CR:TE 963561 SS  
Category: Classification  
Tariff No. 6701.00.3000

DAVID BALLARD  
AREA PORT DIRECTOR  
U.S. CUSTOMS SERVICE  
*35 West Service Road  
Champlain, NY 12919*

Re: I.A. 14/99; Classification of Feather Boas; Articles of Feathers; Heading 6701, HTSUSA; Not Articles of Fancy Dress; Not Festive Articles; Not Heading 9505, HTSUSA.

DEAR DIRECTOR BALLARD:

This ruling is in response to your letter dated May 11, 1999, requesting Internal Advice regarding the classification under the Harmonized Tariff Schedule of the United States Annotated (HTSUSA) of feather boas. Two samples were forwarded for examination. The Request for Internal Advice was initiated by Trans-Border Customs Services, Inc., on behalf of H.M. Smallwares Ltd.

*Facts:*

The instant Request for Internal Advice seeks clarification as to whether feather boas are classified under heading 6701, HTSUSA, as articles made of feathers, or under heading 9505, HTSUSA, as festive, carnival or other entertainment articles. Customs classified the feather boas under subheading 6701.00.3000, HTSUSA, with a 4.7 percent rate of duty. The importer believes the boas should be classified under subheading 9505.90.6000, HTSUSA, with a free rate of duty.

The merchandise at issue is two feather boas measuring approximately 7 inches in width and 6.5 feet in length. The boas are made of turkey feathers. The importer describes the items as "novelty boas" and suggests that they are used as either an accessory to a Halloween costume, an adult gag gift or for a teenager party.

*Issue:*

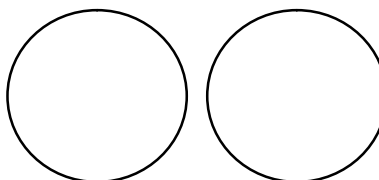
Whether the feather boas are properly classifiable under heading 6701, HTSUSA, as articles of feathers, or under heading 9505, HTSUSA, as festive articles, carnival or other entertainment articles?

*Law and Analysis:*

Classification of goods under the HTSUSA is governed by the General Rules of Interpretation (GRI). GRI 1 provides that classification shall be determined according to the terms of the headings and any relative section or chapter notes. Merchandise that cannot be classified in accordance with GRI 1 is to be classified in accordance with subsequent GRI taken in order. The Harmonized Commodity Description and Coding System Explanatory Notes (EN), constitute the official interpretation of the Harmonized System at the international level. While neither legally binding nor dispositive, the EN provide a commentary on the scope of each heading of the HTSUS and are generally indicative of the proper interpretation of these headings.

Chapter 67, HTSUSA, covers, among other things, articles made of feathers. Heading 6701, HTSUSA, provides for "[s]kins and other parts of birds with their feathers or down, feathers, parts of feathers, down and articles thereof (other than goods of heading 0505 and worked quills and scapes)." The EN to heading 6701, HTSUSA, state that the heading covers articles made of feathers including feather boas. Customs has previously classified feather boas under heading 6701, HTSUSA. See New York Ruling Letter (NY) A83686, dated July 3, 1996; Port Ruling Letter (PD) C83873, dated February 24, 1998; NY F80244, dated December 9, 1999 ; NY F82788, dated March 6, 2000; and NY F87231, dated June 15, 2000. Thus, the instant feather boas are classifiable under subheading 6701.00.3000, HTSUSA, as articles of feathers.

However, the importer claims the instant feather boas are classified as festive articles under heading 9505, HTSUSA. Heading 9505, HTSUSA, provides for "[f]estive, carnival



or other entertainment articles, including magic tricks and practical joke articles; parts and accessories thereof.” The EN to heading 9505, HTSUSA, state that the heading covers:

Festive, carnival or other entertainment articles, which in view of their intended use are generally made of non-durable material. They include:

\*            \*            \*            \*            \*            \*            \*

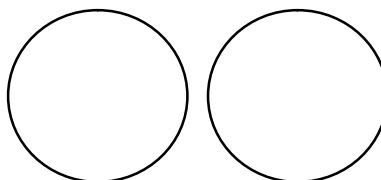
(3) Articles of fancy dress, e.g. masks, false ears and noses, wigs, false beards and moustaches (not being articles of postiche—heading 67.04), and paper hats. However, the heading excludes fancy dress of textile materials of Chapter 61 or 62.

The importer asserts that only boas made of expensive ostrich feathers assembled to a substantial fabric and intended for multiple use with expensive evening wear are classified under heading 6701, HTSUSA, while the instant “novelty boas” are classified under heading 9505, HTSUSA. The importer distinguishes the instant boas as being of inferior quality and used as a Halloween costume accessory, gag gift or one time party item. The importer states that a “true” boa used as an apparel item retails for \$50.00 to \$150.00 while the instant boas are sold at a lower price and are not used as an apparel item. The importer claims the instant feather boas are distinguishable from the feather boas of heading 6701, HTSUSA, because they are made of turkey feathers which are not mounted to a substantial backing. The importer also claims the boas shed when shaken and release dye when handled.

Customs finds that, in general, feather boas are not contemplated by the EN to heading 9505, HTSUSA. The instant feather boas are made of durable material and are not similar to one time party items like a paper hat. Customs has classified boas made of dyed chicken feathers, goose feathers and turkey feathers under heading 6701, HTSUSA. See PD C83873, dated February 24, 1998; PD F80244, dated December 9, 1999; and NY F87231, dated June 15, 2000. Furthermore, Customs has classified feather boas made by twisting and tying feathers to a yarn similar to the instant feather boas under heading 6701, HTSUSA. See PD F80244, dated February 24, 1998. We note that the instant feather boas are quite fluffy and full and that the advertisement submitted by the importer describes the boas as being of “excellent quality.” While advertising from another company shows that more expensive ostrich feather boas may be purchased, it also shows that some ostrich feather boas were sold for \$9.00 and \$20.50. Lastly, the claimed shedding and release of dye was not prevalent with respect to the first sample obtained by Customs. Accordingly, we find that the instant feather boas are not festive articles contemplated by the EN to heading 9505, HTSUSA.

The importer cites to NY C88185, dated June 5, 1998, in which a feather boa was classified under heading 9505, HTSUSA. The boa was described as being made of turkey feathers and measuring five feet in length. Additionally, in NY C88189, dated June 9, 1998, Customs classified a feather boa under heading 9505, HTSUSA. In both rulings Customs stated that the boas were considered to be of flimsy construction, lacking in durability and generally not recognized as being normal articles of apparel. It is evident that these two rulings followed the standard relating to the classification of textile costumes. Customs classifies textile costumes of a flimsy nature and construction, lacking in durability, and generally recognized as not being a normal article of apparel, as festive articles of heading 9505, HTSUSA. See HQ 957318, dated October 18, 1994. However, since the feather boas were not textile costumes, the flimsy/non-flimsy standard was improperly applied. Accordingly, this office is in the process of reviewing the rulings to determine whether or not they should be the subject of a proposed revocation notice.

Customs has previously ruled on novelty items claimed to be Halloween costume accessories or party items. In HQ 961728, dated April 8, 1999, the importer also claimed that the classification of “novelty hats” was governed by the flimsy/non-flimsy textile costume test. Customs specifically stated that although the issue was whether the hats could be classified as “articles of fancy dress” of heading 9505, HTSUSA, the analysis of determining whether an article is wearing apparel of chapter 61 or 62, HTSUSA, or an “article of fancy dress” was not applicable. In refusing to classify five styles of “novelty hats” as festive articles of heading 9505, HTSUSA, Customs stated that the decision in *Midwest of Cannon Falls, Inc. v. United States*, 122 F.3d 1423 (Fed. Cir. 1997) provided new guidelines



for the classification of “festive articles.” In general, merchandise is classifiable in heading 9505, HTSUSA, as a “festive article” when the article as a whole:

Is not predominantly of precious or semiprecious stones, precious metal or metal clad with precious metal;

Functions primarily as a decoration or functional item used in celebration of and for entertainment on a holiday; and

Is associated with or used on a particular holiday.

Customs found that the hats were not classifiable as festive articles since there was no evidence that the “novelty hats” were used in celebration of and for entertainment on a holiday or that any of them were a symbol of, associated with or used on a particular recognized holiday. Applying this rationale to the instant feather boas, although they may be used in celebration of Halloween as a costume accessory, the feather boas in and of themselves are not associated with or used on a particular holiday. Furthermore, it appears the instant feather boas are sold throughout the entire year and not only before Halloween as a costume accessory. Accordingly, the feather boas are not classified under heading 9505, HTSUSA, as festive articles pursuant to the decision in *Midwest of Cannon Falls*.

Feather boas are articles of feathers. Boas come in all sizes, lengths, colors and quality. All feather boas will be used the same way, regardless of quality, as an accessory or accent article to some outfit. Whether the feather boas is accessorizing a Las Vegas show girl, a Hollywood star, a Halloween beauty queen or a little girl’s dress up fantasy, it is being used the same way and should be classified uniformly.

*Holding:*

Based on the foregoing, the feather boas are classifiable under subheading 6701.00.3000, HTSUSA, which is the provision for articles of feathers. The applicable rate of duty is 4.7 percent ad valorem.

You are to mail this decision to the internal advice applicant no later than 60 days from the date of this letter. On that date, the Office of Regulations and Rulings will make the decision available to Customs personnel, and to the public on the Customs Home page on the World Wide Web at [www.customs.gov](http://www.customs.gov), by means of the Freedom of Information Act, and other methods of public distribution.

JOHN DURANT,  
*Director,*  
*Commercial Rulings Division.*

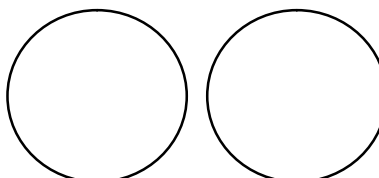
---

REVOCATION OF RULING LETTER AND REVOCATION OF TREATMENT RELATING TO THE TARIFF CLASSIFICATION OF A COMPACT DISC BOX

AGENCY: Bureau of Customs & Border Protection, Department of the Treasury.

ACTION: Notice of revocation of a ruling letter and revocation of treatment relating to the tariff classification of a compact disc box.

SUMMARY: Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. 1625(c)), as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), this notice advises interested parties that Customs & Border Protection (CBP) is revoking a ruling letter pertaining to the tariff classification of a compact disc box under the Harmonized Tariff Schedule of the United States (HTSUS). CBP is also revoking any treatment previously accorded by CBP to substantially



identical transactions. Notice of the proposed actions was published on March 19, 2003, in Volume 37, Number 12, of the CUSTOMS BULLETIN. CBP received no comments in response to the notice.

**EFFECTIVE DATE:** This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after July 7, 2003.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Hollaway, Textiles Branch, at (202) 572-8814.

**SUPPLEMENTARY INFORMATION:**

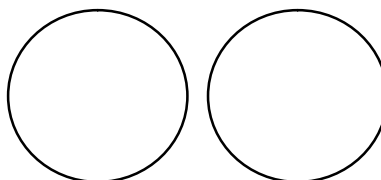
**BACKGROUND**

On December 8, 1993, Title VI, (Customs Modernization), of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), (hereinafter "Title VI"), became effective. Title VI amended many sections of the Tariff Act of 1930, as amended, and related laws. Two new concepts that emerge from the law are "**informed compliance**" and "**shared responsibility**." These concepts are premised on the idea that in order to maximize voluntary compliance with Customs laws and regulations, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the law imposes a greater obligation on CBP to provide the public with improved information concerning the trade community's responsibilities and rights under the Customs and related laws. In addition, both the trade and CBP share responsibility in carrying out import requirements. For example, under section 484 of the Tariff Act of 1930, as amended (19 U.S.C. 1484), the importer of record is responsible for using reasonable care to enter, classify and value imported merchandise, and provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics and determine whether any other applicable legal requirement is met.

Pursuant to section 625(c)(1), Tariff Act of 1930 (19 U.S.C. 1625(c)(1)), as amended by Title VI, notice proposing to revoke Headquarters Ruling Letter (HQ) 087690, dated December 7, 1990, and to revoke any treatment accorded to substantially identical merchandise was published in the March 19, 2003, CUSTOMS BULLETIN, Volume 37, Number 12. Customs received no comments.

In HQ 087690, CBP classified a compact disc box under subheading 4819.50.4040, HTSUS, as an other packing container, and not as a folding carton under subheading 4819.20, HTSUS, because we found that additional gluing on the interior surfaces of the box exceeded the permissible use of glue for folding cartons. We now find that gluing inserts into the interior of the box does not preclude classification in subheading 4819.20, HTSUS.

As stated in the notice of proposed revocation, this notice covers any rulings on the subject merchandise which may exist but which have not been specifically identified. Any party who has received an interpretive ruling or decision (i.e., ruling letter, internal advice memorandum or de-



cision or protest review decision) on the merchandise subject to this notice should have advised CBP during the comment period.

Similarly, pursuant to section 625(c)(2), Tariff Act of 1930 (19 U.S.C. 1625 (c)(2)), as amended by Title VI, CBP is revoking any treatment previously accorded by CBP to substantially identical transactions. This treatment may, among other reasons, have been the result of the importer's reliance on a ruling issued to a third party, CBP personnel applying a ruling of a third party to importations of the same or similar merchandise, or the importer's or CBP's previous interpretation of the HTSUS. Any person involved in substantially identical transactions should have advised CBP during the comment period. An importer's reliance on a treatment of substantially identical transactions or on a specific ruling concerning the merchandise covered by this notice which was not identified in this notice may raise the rebuttable presumption of lack of reasonable care on the part of the importer or its agents for importations of merchandise subsequent to the effective date of this final decision.

Pursuant to 19 U.S.C. 1625(c)(1), CBP is revoking HQ 087690, and any other ruling not specifically identified in order to reflect the proper classification of the merchandise pursuant to the analysis set forth in HQ 965223, which is attached to this document. Additionally, pursuant to 19 U.S.C. 1625(c)(2), CBP is revoking any treatment previously accorded by the CBP to substantially identical transactions.

In accordance with 19 U.S.C. 1625(c), this ruling will become effective 60 days after publication in the CUSTOMS BULLETIN.

Dated: April 21, 2003.

GAIL H. HAMILL,  
(for Myles B. Harmon, Director,  
Commercial Rulings Division.)

[Attachment]

---

[ATTACHMENT]

DEPARTMENT OF HOMELAND SECURITY,  
BUREAU OF CUSTOMS AND BORDER PROTECTION,  
*Washington, DC, April 21, 2003.*

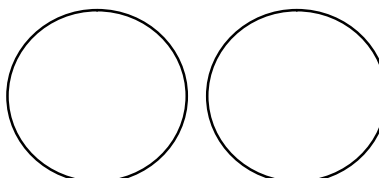
CLA-2 RR:CR:TE 965223 RH  
Category: Classification  
Tariff No. 4819.20.0040

ROSS ELLIS, LTD.  
300 Ann Street  
Montreal, Quebec H3C 2K2

Re: Revocation of HQ 087690, dated December 7, 1990; Classification of Compact Disc Box; Folding Cartons, Cases and Boxes; Subheading 4819.50; Subheading 4819.20.

DEAR SIR OR MADAM:

On December 7, 1990, Customs (now Customs & Border Protection ("CBP")) issued Headquarters Ruling Letter (HQ) 087690, denying protest number 0712-90-000244, con-



cerning the classification of a compact disc box. The law firm of Ross & Hardies filed the protest on your behalf.

In denying the protest, CBP classified the compact disc box under subheading 4819.50.4040 of the Harmonized Tariff Schedule of the United States (HTSUS), which encompasses other packing containers of paper or paperboard.

For the reasons set forth below, it is now our opinion that the compact disc box is correctly classified under subheading 4819.20.0040, HTSUS.

Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. 1625(c)), as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act, Pub. L. 103-182, 107 Stat. 2057, 2186 (1993), notice of the proposed revocation of HQ 087690 was published on March 19, 2003, in Vol. 37, No. 12 of the CUSTOMS BULLETIN. No comments were received.

*Facts:*

In HQ 087690, a description of the merchandise reads as follows:

The goods at issue here are described as "compact disc boxes." They are thin, rectangular boxes designed to hold compact disc recorded media for transport and sale. The boxes measure approximately 12¼ inches in length, 6 inches in width, and ½ inch in thickness. They are made from a single sheet of paperboard, folded lengthwise such that a portion of paperboard forms an inner partition or filler on the inside of the box. The box is assembled by gluing the folded sheet in three locations on two internal surfaces. A square plastic case containing the recorded media is inserted into one end of the box. The folded inner partition fills the remaining volume of the box, keeping the plastic case/compact disc stationary. The ends are then sealed by means of glue. It is our understanding that the length of the box (twice the length of the plastic disc case) is for display purposes. The plastic disc cases have inserts which provide information about the recording. After the disc has been purchased and transported home, the paperboard box is discarded.

*Issue:*

What is the correct classification of the compact disc box?

*Law and Analysis:*

Classification under the HTSUS is made in accordance with the General Rules of Interpretation (GRI). GRI 1 provides that the classification of goods shall be determined according to the terms of the headings of the tariff schedule and any relative Section or Chapter Notes. In the event that the goods cannot be classified solely on the basis of GRI 1, and if the headings and legal notes do not otherwise require, the remaining GRI may then be applied.

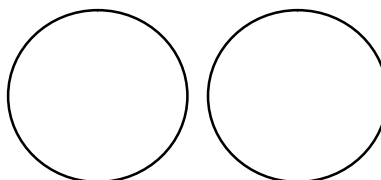
In interpreting the headings and subheadings, CBP looks to the Harmonized Commodity Description and Coding System Explanatory Notes (EN), which are not legally binding, but are recognized as the official interpretation of the Harmonized System at the international level. It is CBP's practice to follow, whenever possible, the terms of the EN when interpreting the HTSUS.

Heading 4819 encompasses:

Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibers; box files, letter trays, and similar articles, of paper or paperboard of a kind used in offices, shops or the like.

The EN to the first part of the heading (before the semicolon) covering "Cartons, boxes, cases and other packing containers" reads:

This group covers containers of various kinds and sizes generally used for the packing, transport, storage or sale of merchandise, whether or not also having a decorative value. The heading includes cartons, boxes, cases, bags, cones, packets, casks, paperboard drums (containers), whether manufactured by rolling or by any other method, and whether or not fitted with reinforcing circular bands of other materials, tubular containers for posting documents, protective garment bags, jars, pots and the like (e.g., for milk or cream), whether or not waxed. The heading also covers special purpose paper bags such as bags for vacuum cleaners, bags for travel sickness, and record boxes and sleeves.



The EN to heading 4819 states that folding cartons, boxes and cases are:  
cartons, boxes and cases in the flat in one piece, for assembly by folding and slotting  
(e.g., cake boxes);

and

containers assembled or intended to be assembled by means of glue, staples, etc., on one side only, the construction of the container itself providing the means of forming the other sides, although, where appropriate, additional means of fastening, such as adhesive tape or staples may be used to secure the bottom or lid. Emphasis supplied.

In HQ 087690, counsel argued that only one line of glue was attributable to the construction of the box, the remainder being applied to the inner partition. Therefore, counsel argued that the box was akin to a box with a glued insert, rather than a box glued on more than one side and was, therefore, classifiable under subheading 4819.20, HTSUS.

In rejecting counsel's argument, we found that the additional gluing on the folded paperboard sheet on the interior surfaces of the box exceeded the permissible use of glue for folding cartons. We further found that the box was not "a box-with-adjuncts" but rather the partition was "an integral part of the box's structure, particularly in light of the folded, single sheet construction \* \* \*."

In several recent rulings, CBP held that there is no limiting language in the tariff provision or legal notes to preclude classification in subheading 4819.20, HTSUS, where the folding carton has a complex construction (HQ 965873, dated December 9, 2002), or when assembled, it has compartments (HQ 963903, dated July 27, 2001).

In the instant case, the box is glued on one side only. The fact that it has inserts that are glued into the interior of the box does not preclude classification in subheading 4819.20, HTSUS. Accordingly, we find that the compact disc box is the type of merchandise covered by the first part of heading 4819, and more specifically, as a folding carton in subheading 4819.20.0040, HTSUS.

*Holding:*

HQ 087690 is REVOKED. The compact disc box is classifiable under subheading 4819.20.0040, HTSUS, which provides for "Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibers; box files, letter trays and similar articles, of paper or paperboard of a kind used in offices, shops or the like: Folding cartons, boxes and cases, of non-corrugated paper or paperboard, Other." It is dutiable at the general column one rate at 0.6 percent *ad valorem*.

In accordance with 19 U.S.C. 1625(c), this ruling will become effective 60 days after its publication in the CUSTOMS BULLETIN.

GAIL H. HAMILL,  
(for Myles B. Harmon, Director,  
Commercial Rulings Division.)

