

Public Law 86-14

AN ACT

To provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes.

April 22, 1959
[H. R. 5508]

Trade Fair Act
of 1959.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Trade Fair Act of 1959".

SEC. 2. DESIGNATION OF FAIRS.

(a) **IN GENERAL.**—When the Secretary of Commerce is satisfied that the public interest in promoting trade will be served by allowance of the privileges provided for in this Act to any fair to be held in the United States, he shall so advise the Secretary of the Treasury, designating (1) the name of the fair, (2) the place where the fair will be held, (3) the date when the fair will open and the date when it will close, and (4) the name of the operator of the fair.

(b) **DEFINITIONS.**—For purposes of this Act—

(1) The term "fair" means any fair, exhibition, or exposition designated by the Secretary of Commerce pursuant to this section.

(2) The term "closing date" in the case of any fair means the date designated pursuant to subsection (a) (3) as the date when the fair will close, or (if earlier) the date on which such fair actually closes.

(c) **REGULATIONS.**—The Secretary of Commerce may prescribe such regulations as he deems necessary or appropriate to carry out the provisions of this section.

SEC. 3. ENTRY OF ARTICLES FOR FAIRS.

Any article imported or brought into the United States—

(1) which is in continuous customs custody, covered by a customs exhibition bond, or in a foreign trade zone, and

(2) on which no duty or internal-revenue tax has been paid, may, without payment of any duty or internal-revenue tax, be entered under bond under this section for the purpose of exhibition at a fair, or for use in constructing, installing, or maintaining foreign exhibits at a fair.

SEC. 4. DISPOSITION OF ARTICLES ENTERED FOR FAIRS.

(a) **ENTRY UNDER GENERAL CUSTOMS LAWS, ETC.**—At any time before, or within 3 months after, the closing date of any fair, any article entered for such fair under section 3 may be sold or otherwise disposed of within, or may be removed from, the area of such fair. This subsection shall apply only if, before such disposition or removal—

(1) the article, after the entry for such fair under section 3, has been entered under any provision of the customs laws, and

(2) any applicable duties and internal-revenue taxes are paid on such article in its condition and quantity, and at the rate in effect, at the time of such entry as if such article were imported or brought into the United States at the time of such entry.

(b) **DISPOSITION WITHOUT PAYMENT OF DUTY.**—At any time before, or within 3 months after, the closing date of any fair, any article entered for such fair under section 3 may, without the payment of any duties or internal-revenue taxes, be—

(1) exported,

(2) transferred from such fair to other customs custody status or to a foreign-trade zone,

(3) destroyed, or

(4) abandoned to the Government.

(c) **MANDATORY ABANDONMENT TO GOVERNMENT.**—If any article entered under section 3 is still in customs custody, under such entry, at the expiration of 3 months after the closing date of the fair for which it was entered, such article shall thereupon be regarded as an article abandoned to the Government and shall be subject to sale or destruction of the article and disposition of the proceeds of sale in the manner provided for in sections 491, 492, and 493 of the Tariff Act of 1930. For purposes of this subsection, any duties or internal-revenue taxes on the article shall be computed on the basis of its condition and quantity at the time it becomes subject to sale.

46 Stat. 726,
727.
19 USC 1491,
1492, 1493.

(d) **PERIOD FOR PERFORMANCE OF CERTAIN ACTS.**—Whenever any article entered under section 3 is transferred pursuant to subsection (b)(2) or entered under subsection (a), the period prescribed for the performance of any act required by the provision governing the status to which the article is transferred, or under which the article is entered, shall run from the date of such transfer or entry.

SEC. 5. MARKING, PACKAGING, AND LABELING.

(a) **CUSTOMS LAWS.**—Articles entered under section 3 shall not be subject to any marking requirements of the customs laws, except that when any such article is entered for consumption under section 4 it shall not be released from customs custody until the marking requirements of the customs laws have been complied with.

(b) **INTERNAL-REVENUE LAWS, ETC.**—Articles entered under section 3 shall not be subject to the packaging, marking, or labeling requirements of the internal-revenue laws or of the Federal Alcohol Administration Act, except that any such article failing to comply with such requirements—

49 Stat. 977.
27 USC 201.

(1) shall be conspicuously marked prior to exhibition "Not labeled or packaged as required by law—not for sale", and

(2) when entered for consumption under section 4, shall not be released from customs custody until such packaging, marking, and labeling requirements have been complied with.

The application of the permit requirements of the Federal Alcohol Administration Act and the occupational taxes prescribed by chapter 51 of the Internal Revenue Code of 1954 shall be determined without regard to this Act.

27 USC 201-212.
26 USC 5001-5692.

SEC. 6. RESPONSIBILITIES OF FAIR OPERATOR.

(a) **SOLE CONSIGNEE AND IMPORTER.**—Each fair operator designated by the Secretary of Commerce pursuant to section 2 shall be deemed the sole consignee and importer of all articles entered under section 3 for the fair for which such operator has been designated.

(b) **EXPENSES OF CUSTOMS CUSTODY, ETC.**—The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisalment, custody, abandonment, destruction, or release of articles entered under section 3, together with the necessary charges for salaries of customs officers and employees in connection with the accounting for, custody of, and supervision over, such articles, shall be reimbursed to the United States by the operator of the fair for which they are entered. Receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1524).

52 Stat. 1087.

SEC. 7. REGULATIONS.

The Secretary of the Treasury may prescribe such regulations as may be necessary or appropriate to carry out the provisions of this Act (other than section 2 thereof).

Approved April 22, 1959.