§ H.R. 8149

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

TITLE 1--CUSTOMS PROCEDURAL REFORM

SEC. 101. This title may be cited as the "Customs Procedural Reform Act of 1977".*****

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SEC. 212. (a) Section 526 of the Tariff Act of 1930 (19 U.S.C. 1526) is amended
(1) by striking out "It" in subsection (a) and inserting in lieu thereof "Except as provided in subsection (d) of this section, it": and
(2) by adding at the end thereof the following new subsection:
(d) EXEMPTIONS.--(1) The trademark provisions of this section and section 42 of the Act of July 5, 1946 (60 Stat. 440; 15 U.S.C. 1124), do not apply to the importation of articles accompanying any person arriving in the United States when such articles are for his personal use and not for sale if (A) such articles are within the limits of types and quantities determined by the Secretary pursuant to paragraph (2) of this subsection, and (B) such person has not been granted an exemption under this subsection within thirty days immediately preceding his arrival.
"(2) The Secretary shall determine and publish in the Federal Register lists of the types of articles and the quantities of each which shall be entitled to the exemption provided by the subsection. In determining such quantities of particular types of trade--marked articles, the Secretary shall give such consideration as he deems necessary to the members of such articles usually purchased at retail for personal use.
"(3) If any article which has been exempted from the

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restrictions on importation of the trade--mark laws under this subsection is sold within one year after the date of importation, such article, or its value (to be recovered from the importer), is subject to forfeiture. A sale pursuant to a judicial order or in liquidation of the estate of a decedent is not subject to the provisions of this paragraph.
"(4) The Secretary may prescribe such rules and regulations as may be necessary to carry out the provisions of this subsection.".
(b) Section 42 of the Act of July 5, 1946 (15 U.S.C. 1124), is amended by striking out "That" and inserting in lieu thereof "Except as provided in subsection (d) of section 526 of the Tariff Act of 1930."
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