Information on import licensing procedures of the United States submitted in response to the questionnaire annexed to document L/5106, has been made available to contracting parties in document L/5131. The following notification describes the procedures maintained by the Department of the Treasury - The Bureau of Alcohol, Tobacco and Firearms in respect of:

1. Distilled spirits (beverages): wine and malt beverages;
2. Distilled spirits for industrial use (including alcohol for fuel use);
3. Firearms and ammunition;
4. Arms ammunition and implements of war;
5. Explosives.

The information reproduced below supplements the data previously submitted by the United States.

1. Department of the Treasury - Bureau of Alcohol, Tobacco and Firearms: Distilled spirits (beverages); wine and malt beverages

Outline of system

1. Producers, bottlers, wholesalers and importers of distilled spirits, wine and malt beverages are required to have permits, issued under the Federal Alcohol Administration Act, to engage in their respective businesses. Primary purposes of this requirement is to protect the consumer by oversight of labelling, advertising and other practices.
Purposes and coverage of the licensing

2. An importer's basic permit under the Federal Alcohol Administration Act is one of several different permits controlling the distilled spirits, wine and malt beverage industries.

3. The permit system applies to goods originating in and coming from all countries.

4. No. Intent of licensing is to ensure that commodities are packaged, marked, branded and labelled in conformity with the Federal Alcohol Administration Act.
   - No
   - Not applicable

5. The permit system is a statutory requirement of the Federal Alcohol Administration Act, 17 U.S.C. 201 et. seq. 27 CFR Part 1, et. seq.
   - Yes
   - No
   - No

Procedures

6. Not applicable

7. (a) Basic permits are issued usually within four weeks of application.
   (b) Not normally, however, under certain circumstances a licence can be granted immediately on request.
   (c) No
   (d) Yes, consideration of licence applications is effected by a single administrative organ.
      - No
      - Not applicable

8. None
   - The reasons for any refusal are given to the applicant in writing.
   - In the event of refusal to issue a licence, administrative appeals may be made through Director, ATF to United States Court of Appeals.
Eligibility of importers to apply for licence

9. (a) Yes
   (b) Not applicable
      - Not applicable

Documentational and other requirements for application of licence

10. Importer's basic permit. ATF Form 1631-1/
    - Such supporting documentation as required

11. Certificate of Age and Origin (if issued by country of origin) and Certificate of Label Approval.

12. No
    - Not applicable

13. No
    - Not applicable

Conditions of licensing

14. Continuing, unless revoked or surrendered.
    - Not applicable
    - Not applicable

15. If inactive for two years, may be revoked.

16. No

17. (a) Not applicable
   (b) No

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1/A copy of this document is available for consultation in the Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.
Other procedural requirements

18. Payment of Special (occupational) Tax yearly under Internal Revenue Code: importer/wholesaler in liquors (spirits, wines and beer: $255.00 or importer/wholesalers in beer: $123.00 (27 CFR Parts 194 and 251)).

19. Not applicable

2. Department of the Treasury - Bureau of Alcohol, Tobacco and Firearms: distilled spirits for industrial use (including alcohol for fuel use)

Outline of system

1. The Internal Revenue Code requires that producers, distributors and users of distilled spirits for industrial purposes have permits. Industrial alcohol is exempt from taxation if used as authorized in the law. The permit system is a means to control these authorized uses.

Purposes and coverage of the licensing

2. A licence, as such, for the importation of alcohol for industrial use is not required. However, it cannot be received into this country except by a distilled spirits plant, permitted and bonded under the Internal Revenue Code. Each question answered below is within this context.

3. All countries

4. See reply No. 1
   - No
   - Not applicable

5. 26 U.S.C. 5171, 5181
   27 CFR Part 19
   - Yes
   - No
   - No

7. (a) Permits under the Internal Revenue Code are usually found within four weeks from time of application.

   (b) Not normally, however, under certain circumstances a licence can be granted immediately on request.
(c) No
(d) Yes
  - No
  - Not applicable

8. None
  - The reasons for any refusal are given to the applicant in writing.
  - In the event of refusal to issue a licence, administrative appeal may be made through Director ATF to United States District Court.

Eligibility of importers to apply for licence

9. (a) Yes
    (b) Not applicable

- Not applicable

Documentational and other requirements for application of licence

10. Importer's basic permit. ATF Form 1631/1
    - Such supporting documentation as required.

11. Ordinary commercial papers

12. No
    - Not applicable

13. No
    - Not applicable

Conditions of licensing

14. Continuing, unless revoked or surrendered.
    - Not applicable
    - Not applicable

1/ A copy of this document is available for consultation in the Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.
15. Permits are subject to revocation if not used within two years.

16. No

17. (a) Not applicable

(b) No

Other procedural requirements

18. No

19. Not applicable

3. Department of the Treasury - Bureau of Alcohol, Tobacco and Firearms: firearms and ammunition

Outline of system

1. Under the Gun Control Act of 1968, the United States maintains a system of licences and permits controlling the manufacturing, importing and dealing in firearms and ammunition. The Bureau of Alcohol, Tobacco and Firearms (ATF) administers the import controls along with the import controls established by the Arms Export Control Act of 1976.

Purposes and coverage of the licensing

2. See reply No. 1. Firearm means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any muffler or silencer; or (d) any destructive device. Antique firearms are exempt.

3. All countries (signatories to GATT) except Czechoslovakia, Hungary, Poland and Romania. Imports from these four countries can only be for personal use, not for resale.

4. No. Generally, the purpose of the licensing system is to prevent the possession of firearms by persons falling within statutorily determined prohibited categories. A specific purpose of the import requirements, in addition to the above, is to ensure that machine guns, destructive devices, surplus military firearms, and other like firearms are not imported except for the use of governmental agencies.

- No

- Not applicable
5. 18 U.S.C., Chapter 44
   26 U.S.C., Chapter 53
   27 CFR Parts 178 and 179
   - Yes
   - No
   - No

Procedures

7. (a) Licence is issued within forty-five days after application. Permit application is approved within ten days.

   Permit can be approved immediately if licence has been issued.

   (b) Permit can be issued immediately on request.

   (c) No

   (d) Yes
       - No
       - Not applicable

8. None
   - The reasons for any refusal are given to the applicant in writing.
   - In the event of refusal to issue a licence, administrative appeal may be made to Director, ATF. Further to United States District Court if desired.

Eligibility of importers to apply for licence

9. (a) Yes

   (b) Not applicable

   - Not applicable

Documentational and other requirements for application of licence

10. Applications: (Forms 7 and 6)

    - Application and Permit for Importation of Firearms, Ammunition and Implements of War (ATF Form 6, Part I)

1/ Copies of these documents are available for consultation in the Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.
11. None

12. Yes. $50.00 per year importers of firearms or ammunition other than destructive devices or ammunition therefor - $1,000.00 per year for importers of destructive devices or ammunition therefor.

13. No

Conditions of licensing

14. Licence: one year from date of issue. Import Permit: six months from date of issue.

The validity of a licence can be extended by renewal application for licence and new application for import permit.

15. No

16. No

17. (a) Not applicable

(b) No

Other procedural requirements

18. No

19. Not applicable

4. Department of the Treasury - Bureau of Alcohol, Tobacco and Firearms: arms, ammunition and implements of war

1. Outline of system

The United States maintains a system of registrations and permits to control the importation of arms, ammunition and implements of war. The law and regulations on these imports are administered by ATF in conjunction with the Gun Control Act of 1968. The Department of State maintains a similar system of controls relative to exports.

1/ Copies of these documents are available for consultation in the Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.
Purposes and coverage of the licensing

2. Persons engaged in the business of importing articles on the United States Munitions Import List must be registered. Actual importation is authorized by use of Form 6. Articles on the import list are articles that have significant military applicability.

3. All countries. Goods from certain countries (primarily centrally-planned economies) as determined by State Department are denied entry into the United States.

4. Primary purpose is to suppress international trafficking in arms.
   - No
   - Not applicable

   27 CFR Part 47
   Executive Order 11432 (33 F.R. 15701)
   - Yes
   - Yes
   - No

Procedures

7. (a) Approximately ten working days in advance.
   - Yes
   (b) Yes
   (c) No
   (d) Yes
   - No
   - Not applicable

8. None
   - Yes
   - In the event of refusal to issue a licence, administrative appeals may be made through Director, ATF to United States District Court.
Eligibility of importers to apply for licence

9. (a) Yes
(b) Not applicable
   - Not applicable

Documentation and other requirements for application of licence

10. ATF Form 4587 and Form 6\(^1\)/
    - None

11. ATF Forms 6 and 6A\(^1\)/

12. Fee for registration but not for permit.
    Amount of the fee:
    
    | Years         | Fee  |
    |---------------|------|
    | One year:     | $125 |
    | Two years:    | $250 |
    | Three years:  | $350 |
    | Four years:   | $425 |
    | Five years:   | $500 |

13. No

Conditions of licensing

14. Registration: one to five years
    Permit: six months from date of issue

15. No

16. No

17. (a) Not applicable
(b) No

Other procedural requirements

18. No

19. Not applicable

\(^1\)/Copies of these documents are available for consultation in the Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.
5. Department of the Treasury - Bureau of Alcohol, Tobacco and Firearms: explosives

1. Outline of system

Manufacturers, dealers and importers of explosive materials are required by law to be licensed to engage in their respective businesses. The primary purpose of this licensing system is to keep explosives out of the hands of persons prohibited by the law from receiving, or possessing explosives and to insure safe and secure storage of explosives.

Purposes and coverage of the licensing

2. Explosive materials are explosives, blasting agents and detonators. Permits are required of users who wish to buy in inter-State or foreign commerce. Licences are required as stated in reply No. 1.

3. All countries

4. No. Purpose is to protect against the misuse and unsafe or insecure storage of explosive materials. See also reply No. 1.

- No
- Not applicable

5. 18 U.S.C. Chapter 40
27 CFR Part 181

- Yes
- No
- No

Procedures

7. (a) An application must be approved or denied within forty-five days after receipt. Usual turn-around time from receipt of application to issuance of licence is thirty days.

(b) No, not usually. However, it could be done under extreme circumstances.

(c) No

(d) Yes
   - No
   - Not applicable
8. None
   - Yes, the reasons for any refusal are given to the applicant in writing.
   - In the event of refusal to issue a licence, administrative appeals may be made through Director ATF. Then, right of appeal to United States Court of Appeals.

Eligibility of importers to apply for licence
9. (a) Yes
   (b) Not applicable
   - Not applicable

Documentational and other requirements for application of licence
10. Application ATF Forms 6 and 6A
   - None

11. Proof to United States Customs of licensed or permitted status furnished by importer or his agent. Explosives must be classified and marked per United States Department of Transportation standards.

12. Yes,
   - $50.00 per year for licence
   - $25.00 per year for renewal
   - $20.00 permit fee per year
   - $10.00 permit renewal per year.

13. No

Conditions of Licensing
14. One year from the date of issue
15. No
16. No

1/ Copies of these documents are available for consultation in the Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.
17. (a) Not applicable  
(b) No

**Other procedural requirements**

18. No

19. Not applicable