

SEC. 6. That no right shall accrue to any Government, person, or corporation under the terms of this Act that may not be rescinded, changed, modified, or amended by the Congress.

Right to rescind, etc., declared.

Approved, May 27, 1921.

CHAP. 13.—An Act To amend the Act entitled “An Act to establish a code of law for the District of Columbia, approved March 3, 1901,” and the Acts amendatory thereof and supplementary thereto.

May 27, 1921.  
[H. R. 4586.]  
[Public, No. 9.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act to establish a code of law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof and supplementary thereto, constituting the code of law for the District of Columbia, be, and the same are hereby, amended as follows:

District of Columbia Code.  
Vol. 33, p. 554, amended.

Strike out section 833a and insert in lieu thereof:

“SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than \$100, or by imprisonment for not more than ninety days.”

Fraudulent disposal of conditionally acquired personal property.

Punishment modified.

Approved, May 27, 1921.

CHAP. 14.—An Act Imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

May 27, 1921.  
[H. R. 2435.]  
[Public, No. 10.]

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

## TITLE I.

### EMERGENCY TARIFF.

That on and after the day following the passage of this Act, for the period of six months, there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty which are prescribed by this section, namely:

Emergency Tariff Act.  
Post, pp. 220, 990.  
Duties levied for six months on designated imports.

Possessions excepted.

1. Wheat, 35 cents per bushel.
2. Wheat flour and semolina, 20 per centum ad valorem.
3. Flaxseed, 30 cents per bushel of fifty-six pounds.
4. Corn or maize, 15 cents per bushel of fifty-six pounds.
5. Beans, provided for in paragraph 197 of the Act entitled “An Act to reduce tariff duties and to provide revenue for the Government, and for other purposes,” approved October 3, 1913, 2 cents per pound.

Wheat.  
Wheat flour and semolina.  
Flaxseed.  
Corn.  
Beans.  
Vol. 38, p. 133.

6. Peanuts or ground beans, 3 cents per pound.
7. Potatoes, 25 cents per bushel of sixty pounds.
8. Onions, 40 cents per bushel of fifty-seven pounds.
9. Rice, cleaned, 2 cents per pound, except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound; uncleaned rice, or rice free of the outer hull and

Peanuts.  
Potatoes.  
Onions.  
Rice.

- Flour, meal, and broken. still having the inner cuticle on, 1½ cents per pound; rice flour, and rice meal, and rice broken which will pass through a number twelve wire sieve of a kind prescribed by the Secretary of the Treasury, one-fourth of 1 cent per pound; paddy, or rice having the outer hull on, three-fourths of 1 cent per pound.
- Paddy.
- Lemons. 10. Lemons, 2 cents per pound.
- Oils; Peanut, cottonseed, coconut, soya bean, and olive. 11. Oils: Peanut, 26 cents per gallon; cottonseed, coconut, and soya bean, 20 cents per gallon; olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than five gallons.
- Cattle. 12. Cattle, 30 per centum ad valorem.
- Sheep. 13. Sheep: One year old or over, \$2 per head; less than one year old, \$1 per head.
- Meats. 14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per centum ad valorem.
- Breeding live stock admitted free. 15. Cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty.
- Long staple cotton. 16. Cotton having a staple of one and three-eighths inches or more in length, 7 cents per pound.
- Manufactures thereof. 17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.
- Additional to present rates. Vol. 38, p. 138. Wool, except carpet. 18. Wool, commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. Unwashed wools shall be considered such as shall have been shorn from the animal without any cleaning; washed wools shall be considered such as have been washed with water only on the animal's back or on the skin; wools washed in any other manner than on the animal's back or on the skin shall be considered as scoured wool. On wool and hair provided for in this paragraph, which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.
- Rates. Classification defined. Additional, if sorted, etc. 19. Wool and hair of the kind provided for in paragraph 18, when advanced in any manner or by any process of manufacture beyond the washed or scoured condition, and manufactures of which wool or hair of the kind provided for in paragraph 18 is the component material of chief value, 45 cents per pound in addition to the rates of duty imposed thereon by existing law.
- Advanced beyond washed, etc. 20. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above seventy-five degrees, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above forty degrees, 24 per centum ad valorem; testing above forty degrees and not above fifty-six degrees, 3½ cents per gallon; testing above fifty-six degrees, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.
- Manufactures thereof. Additional to present rates. Vol. 38, p. 142. Sugars, etc. 21. Butter, and substitutes therefor, 6 cents per pound.
- Molasses. 22. Cheese, and substitutes therefor, 23 per centum ad valorem.
- Drainings and sweepings. 23. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.
- Butter. 24. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.
- Cheese. 25. Wrapper tobacco and filler tobacco when mixed or packed with more than 15 per centum of wrapper tobacco, and all leaf
- Milk and cream. Condensed, etc.
- Sugar of milk. Tobacco. Wrapper.

tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, \$2.35 per pound; if stemmed, \$3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

The term "wrapper tobacco" as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term "filler tobacco" means all other leaf tobacco.

Filler.  
Classification.

26. Apples, 30 cents per bushel.

Apples.  
Cherries.

27. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound.

Olives.

28. Olives, in solutions, 25 cents per gallon; olives, not in solutions, 3 cents per pound.

SEC. 2. The rates of duty imposed by section 1 (except under paragraphs 17 and 19) in the case of articles on which a rate of duty is imposed by existing law, shall be in lieu of such rate of duty during the six months' period referred to in section 1.

Rates in lieu of present duties, except cotton and wool manufactures.

SEC. 3. After the expiration of the six months' period referred to in section 1, the rates of duty upon the articles therein enumerated shall be those, if any, imposed thereon by existing law.

Former rates restored after six months.

SEC. 4. The duties imposed by this title shall be levied, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the duties imposed by such Act of 1913.

Collection, etc.  
Vol. 38, pp. 114-202.

SEC. 5. That this title shall be cited as the "Emergency Tariff Act."

Title of Act.

TITLE II.—ANTIDUMPING.

Antidumping Act, 1921.

DUMPING INVESTIGATION.

Dumping investigation.

SEC. 201. (a) That whenever the Secretary of the Treasury (hereinafter in this Act called the "Secretary"), after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary, together with a description of the class or kind of merchandise to which it applies in such detail as may be necessary for the guidance of the appraising officers.

Secretary to investigate if imports are sold at less than fair value, to injury of American industry.

Finding to be made public.

(b) Whenever, in the case of any imported merchandise of a class or kind as to which the Secretary has not so made public a finding, the appraiser or person acting as appraiser has reason to believe or suspect, from the invoice or other papers or from information presented to him, that the purchase price is less, or that the exporter's sales price is less or likely to be less, than the foreign market value (or, in the absence of such value, than the cost of production) he shall forthwith, under regulations prescribed by the Secretary, notify the Secretary of such fact and withhold his appraisement report to the collector as to such merchandise until the further order of the Secretary, or until the Secretary has made public a finding as provided in subdivision (a) in regard to such merchandise.

Appraisement of import withheld when purchase price believed less than market value, etc.

To await order or finding of Secretary.

SPECIAL DUMPING DUTY.

Special dumping duty.

SEC. 202. (a) That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no

Levied on all unappraised imports subject to, if price thereof less than foreign market value, etc.

appraisement report to the collector before such finding has been so made public, if the purchase price or the exporter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production) there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

To equal difference.

Determination of market value if difference due to sales of greater quantities for American export, than in home market, etc.

(b) If it is established to the satisfaction of the appraising officers that the amount of such difference between the purchase price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers for exportation to the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

If difference due to sales of greater quantities of such goods in markets of United States, than in country of export, etc.

(c) If it is established to the satisfaction of the appraising officers that the amount of such difference between the exporter's sales price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

Purchase price.

#### PURCHASE PRICE.

Considerations to determine. Paid by purchaser, including packing expenses, etc.

Import duties, and shipping expenses deducted.

Export tax, rebates, etc., added.

SEC. 203. That for the purposes of this title, the purchase price of imported merchandise shall be the price at which such merchandise has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; and plus the amount, if not included in such price, of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller, in respect to the manufacture, production or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

## EXPORTER'S SALES PRICE.

SEC. 204. That for the purpose of this title the exporter's sales price of imported merchandise shall be the price at which such merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less (1) the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, (2) the amount of the commissions, if any, for selling in the United States the particular merchandise under consideration, (3) an amount equal to the expenses, if any, generally incurred by or for the account of the exporter in the United States in selling identical or substantially identical merchandise, and (4) the amount of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

Exporter's sales price.

Items included in.

Deductions.  
United States duties,  
and shipment ex-  
penses.Selling commissions  
and expenses.Export tax of coun-  
try whence exported.Rebates, etc., of  
taxes, added.

## FOREIGN MARKET VALUE.

SEC. 205. That for the purposes of this title the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase. In the ascertainment of foreign market value for the purposes of this title no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

Foreign market  
value.Determined by usual  
price in country  
whence exported, at  
the time thereof.Cost of preparing for  
shipment added if not  
included in price.If ordered prior to  
time when exported,  
as of date thereof.Pretended sales, etc.,  
not considered.

## COST OF PRODUCTION.

SEC. 206. That for the purposes of this title the cost of production of imported merchandise shall be the sum of—

(1) The cost of materials of, and of fabrication, manipulation, or other process employed in manufacturing or producing, identical or substantially identical merchandise, at a time preceding the date of shipment of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the par-

Cost of production.

Elements of.

Materials, and cost  
of making before ship-  
ment.

particular merchandise under consideration in the usual course of business;

Usual general expenses.

(2) The usual general expenses (not less than 10 per centum of such cost) in the case of identical or substantially identical merchandise;

Coverings, packing expenses, etc.

(3) The cost of all containers and coverings, and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for shipment to the United States; and

Profits ordinarily added in country where produced.

(4) An addition for profit (not less than 8 per centum of the sum of the amounts found under paragraphs (1) and (2) ) equal to the profit which is ordinarily added, in the case of merchandise of the same general character as the particular merchandise under consideration, by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular merchandise under consideration.

Exporter.

EXPORTER.

Person deemed to be the.

SEC. 207. That for the purposes of this title the exporter of imported merchandise shall be the person by whom or for whose account the merchandise is imported into the United States:

Agent or principal of, etc.

(1) If such person is the agent or principal of the exporter, manufacturer, or producer; or

Owning or controlling any interest in the business of, etc.

(2) If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer, or producer; or

Owning an interest in any business of.

(3) If the exporter, manufacturer, or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such person; or

Owning interest in business of the importer, and also of.

(4) If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per centum or more of the voting power or control in the business carried on by the person by whom or for whose account the merchandise is imported into the United States, and also 20 per centum or more of such power or control in the business of the exporter, manufacturer, or producer.

Oaths and bonds on entry.

OATHS AND BONDS ON ENTRY.

Delivery of imports subject to dumping duty, unlawful. *Act*, p. 11.

SEC. 208. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and delivery of which has not been made by the collector before such finding has been so made public, unless the person by whom or for whose account such merchandise is imported makes oath before the collector, under regulations prescribed by the Secretary, that he is not an exporter, or unless such person declares under oath at the time of entry, under regulations prescribed by the Secretary, the exporter's sales price of such merchandise, it shall be unlawful for the collector to deliver the merchandise until such person has made oath before the collector, under regulations prescribed by the Secretary, that the merchandise has not been sold or agreed to be sold by such person, and has given bond to the collector, under regulations prescribed by the Secretary, with sureties approved by the collector, in an amount equal to the estimated value of the merchandise, conditioned: (1) that he will report to the collector the exporter's sales price of the merchandise within 30 days after such merchandise has been sold or agreed to be sold in the United States, (2) that he will pay on demand from the collector the amount of special dumping duty, if any, imposed by

Unless importer makes oath that he is not an exporter.

Or declares exporter's sales price.

Permitted on making oath that sale has not been made.

On giving bond to report sales price in 30 days after sale.

To pay special duty.

this title upon such merchandise, and (3) that he will furnish to the collector such information as may be in his possession and as may be necessary for the ascertainment of such duty, and will keep such records as to the sale of such merchandise as the Secretary may by regulation prescribe.

To furnish necessary information, etc.

#### DUTIES OF APPRAISERS.

Duties of appraisers.

SEC. 209. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no appraisal report to the collector before such finding has been so made public, it shall be the duty of each appraiser or person acting as appraiser, by all reasonable ways and means to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost of production to the contrary notwithstanding) and report to the collector the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and any other facts which the Secretary may deem necessary for the purposes of this title.

To estimate and report foreign market value, price, etc., of imports subject to special duty.

*Ante*, p. 11.

#### APPEALS AND PROTESTS.

Appeals and protests.

SEC. 210. That for the purposes of this title the determination of the appraiser or person acting as appraiser as to the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and the action of the collector in assessing special dumping duty, shall have the same force and effect and be subject to the same right of appeal and protest, under the same conditions and subject to the same limitations; and the general appraisers, the Board of General Appraisers, and the Court of Customs Appeals shall have the same jurisdiction, powers, and duties in connection with such appeals and protests as in the case of appeals and protests relating to customs duties under existing law.

Action of appraisers and collectors subject to right of.

Jurisdiction of general appraisers, etc., as in existing laws.

#### DRAWBACKS.

Drawbacks.

SEC. 211. That the special dumping duty imposed by this title shall be treated in all respects as regular customs duties within the meaning of all laws relating to the drawback of customs duties.

Usual allowances for.

#### SHORT TITLE.

SEC. 212. That this title may be cited as the "Antidumping Act, 1921."

Title of Act.

#### TITLE III.—ASSESSMENT OF AD VALOREM DUTIES.

Assessment of ad valorem duties.

*Post*, p. 990.

SEC. 301. That whenever merchandise which is imported into the United States is subject to an ad valorem rate of duty or to a duty based upon or regulated in any manner by the value thereof, duty shall in no case be assessed on a value less than the export value of such merchandise.

No assessment on less than export value.

#### EXPORT VALUE.

Export value.

SEC. 302. That for the purposes of this title the export value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exporta-

Wholesale price in principal market of country of export at time thereof, to determine.

Packing, etc., costs included.

Import duties, shipment charges, etc., deducted.

Export tax added.

tion to the United States, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, and plus, if not included in such price, the amount of any export tax imposed by the country of exportation on merchandise exported to the United States.

"Value."

#### REFERENCES TO "VALUE" IN EXISTING LAW.

In appraising imports, to mean market, or export, whichever is higher.

Forfeitures sales, drawbacks, etc., excepted.

R. S., secs. 2874, 2976, 3016, pp. 556, 574, 581. Vol. 39, p. 798.

SEC. 303 (a). That wherever in Title I of this Act, or in the Tariff Act of 1913, as amended, or in any law of the United States in existence at the time of the enactment of this Act relative to the appraisement of imported merchandise (except sections 2874, 2976, and 3016 of the Revised Statutes, and section 801 of the Revenue Act of 1916), reference is made to the value of imported merchandise (irrespective of the particular phraseology used and irrespective of whether or not such phraseology is limited or qualified by words referring to country or port of exportation or principal markets) such reference shall, in respect to all merchandise imported on or after the day this Act takes effect, be construed to refer, except as provided in subdivision (b), to actual market value as defined by the law in existence at the time of the enactment of this Act, or to export value as defined by section 302 of this Act, whichever is higher.

Of component material determined by Tariff Act of 1913. Vol. 38, pp. 114-202.

(b) If the rate of duty upon imported merchandise is in any manner dependent upon the value of any component material thereof, such value shall be an amount determined under the provisions of the Tariff Act of 1913, as in force prior to the enactment of this Act.

Definition.

#### DEFINITIONS.

"Tariff Act of 1913." Meaning declared. Vol. 38, pp. 114-202.

SEC. 304. That when used in this title the term "Tariff Act of 1913" means the Act entitled "An Act to reduce tariff duties and provide revenue for the Government, and for other purposes," approved October 3, 1913.

General provisions.

#### TITLE IV.—GENERAL PROVISIONS.

Statements in invoice.

#### STATEMENTS IN INVOICE.

Additional required, including as to currency used.

SEC. 401. That all invoices of imported merchandise, and all statements in the form of an invoice, in addition to the statements required by law in existence at the time of the enactment of this Act, shall contain such other statements as the Secretary may by regulation prescribe, and a statement as to the currency in which made out, specifying whether gold, silver, or paper.

Statements at time of entry.

#### STATEMENTS AT TIME OF ENTRY.

Additional, as prescribed by regulations.

SEC. 402. That the owner, importer, consignee, or agent, making entry of imported merchandise, shall set forth upon the invoice, or statement in the form of an invoice, and in the entry, in addition to the statements required by the law in existence at the time of the enactment of this Act, such statements, under oath if required, as the Secretary may by regulation prescribe.

## CONVERSION OF CURRENCY.

SEC. 403. (a) That section 25 of the Act of August 27, 1894, entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," is amended to read as follows:

"SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury quarterly on the first day of January, April, July, and October in each year."

(b) For the purpose of the assessment and collection of duties upon merchandise imported into the United States on or after the day of the enactment of this Act, wherever it is necessary to convert foreign currency into currency of the United States, such conversion, except as provided in subdivision (c), shall be made at the values proclaimed by the Secretary under the provisions of section 25 of such Act of August 27, 1894, for the quarter in which the merchandise was exported.

(c) If no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate. For the purposes of this subdivision such buying rate shall be the buying rate for cable transfers payable in the foreign currency so to be converted; and shall be determined by the Federal Reserve Bank of New York and certified daily to the Secretary, who shall make it public at such times and to such extent as he deems necessary. In ascertaining such buying rate such Federal Reserve Bank may in its discretion (1) take into consideration the last ascertainable transactions and quotations, whether direct or through the exchange of other currencies, and (2) if there is no market buying rate for such cable transfers, calculate such rate from actual transactions and quotations in demand or time bills of exchange.

(d) Sections 2903 and 3565 of the Revised Statutes are repealed.

(e) Section 25 of such Act of August 27, 1894, as in force prior to the enactment of this Act, and section 2903 of the Revised Statutes, shall remain in force for the assessment and collection of duties on merchandise imported into the United States prior to the day of the enactment of this Act.

## INSPECTION OF EXPORTER'S BOOKS.

SEC. 404. That if any person manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation into the United States of merchandise manufactured, produced, sold, shipped or consigned by such person, and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped or consigned by such

Conversion of currency.

Foreign coins.  
Vol. 28, p. 552,  
amended.  
Post, p. 974.

Value in United States money.

Quarterly circular estimating, to be proclaimed.

Duties to be assessed on values in circular for quarter in which export made.

New York buying rate, if value not proclaimed or varying over 5 per cent from it.

Method of determining buying rate.

Considerations for ascertaining.

Depreciated currency and pound sterling provisions repealed.

R. S., secs. 2903, 3565, pp. 563, 703, repealed.

In force for imports prior hereto.

Vol. 23, p. 552.

Exporter's books, etc.

Appraising officer to be permitted inspection of, pertaining to market value, etc., of goods exported.

Importation prohibited on failure.

Delivery thereof to be withheld.

Forfeiture and sale if failure continues one year.

person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

Importer's books, etc.

#### INSPECTION OF IMPORTER'S BOOKS.

Appraising officer to be permitted inspection of, pertaining to value of imported goods, etc.

**SEC. 405.** That if any person importing merchandise into the United States or dealing in imported merchandise fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation of merchandise into the United States by or for the account of such person, and (2) shall instruct the collectors to withhold delivery of merchandise imported by or for the account of such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

Importations by, prohibited on failure.

Delivery to be withheld. Sale if failure continues one year.

#### Definitions.

#### DEFINITIONS.

Construction of terms used.

"Person."

**SEC. 406.** That when used in Title II or Title III or in this title—  
The term "person" includes individuals, partnerships, corporations, and associations; and

"United States."

Island possessions and Canal Zone excepted.

The term "United States" includes all Territories and possessions subject to the jurisdiction of the United States, except the Philippine Islands, the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

Rules and regulations.

#### RULES AND REGULATIONS.

Enforcement of Act by.

**SEC. 407.** That the Secretary shall make rules and regulations necessary for the enforcement of this Act.

Dye and Chemical Control Act, 1921.

Post, p. 990.

Specified imports forbidden entry or delivery for three months.

Post, pp. 191, 220.

#### TITLE V.—DYES AND CHEMICALS.

Conditions allowing admission.

**SEC. 501.** (a) That on and after the day following the enactment of this Act, for the period of three months, no sodium nitrite, no dyes or dyestuffs, including crudes and intermediates, no product or products derived directly or indirectly from coal tar (including crudes, intermediates, finished or partly finished products, and mixtures and compounds of such coal-tar products), and no synthetic organic drugs or synthetic organic chemicals, shall be admitted to entry or delivered from customs custody in the United States or in any of its possessions unless the Secretary determines that such article or a satisfactory substitute therefor is not obtainable in the United States or in any of its possessions in sufficient quantities and on reasonable terms as to quality, price and delivery, and that such article in the quantity to be admitted is required for consumption by an actual consumer in the United States or in any of its possessions within six months after receipt of the merchandise.

War Trade Board Section, State Department, abolished.

Personnel, etc., transferred to Treasury Department.  
Post, p. 192.

(b) Upon the day following the enactment of this Act the War Trade Board Section of the Department of State shall cease to exist; all clerks and employees of such War Trade Board Section shall be transferred to and become clerks and employees of the Treasury Department and all books, documents, and other records relating to such dye and chemical import control of such War Trade Board

Section shall become books, documents and records of the Treasury Department. All individual licenses issued by such War Trade Board Section prior to the enactment of this Act shall remain in effect during the period of their validity, and the importations under such licenses shall be permitted. All unexpended funds and appropriations for the use and maintenance of such War Trade Board Section shall become funds and appropriations available to be expended by the Secretary in the exercise of the power and authority conferred upon him by this section.

SEC. 502. That this title may be cited as the "Dye and Chemical Control Act, 1921."

Approved, May 27, 1921.

Prior licenses to continue.

Funds, etc., transferred.

Title declared.

**CHAP. 15.**—An Act To extend the time for the construction of a bridge across the Red River of the North, at or near the city of Pembina, North Dakota.

May 31, 1921.

[S. 82.]

[Public, No. 11.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge and approaches thereto authorized by the Act of Congress approved June 5, 1920, to be constructed by the counties of Pembina, North Dakota, and Kittson, Minnesota, across the Red River of the North at a point suitable to the interests of navigation at or near the city of Pembina, North Dakota, are hereby extended one and three years, respectively, from the date of approval hereof.

Red River of the North.

Time extended for bridging, Pembina, N. Dak.

Vol. 41, p. 947, amended.

Post, p. 1561.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 31, 1921.

**CHAP. 16.**—An Act Authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock Numbered Four of the canal and locks, Willamette Falls, Clackamas County, Oregon.

May 31, 1921.

[H. R. 2173.]

[Public, No. 12.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Crown Willamette Paper Company, a corporation, is hereby authorized, subject to the approval of the Chief of Engineers and Secretary of War, and to such conditions as they may prescribe, to construct, maintain, and operate a private drawbridge, connecting the units of its industrial plant, over and across Lock Numbered Four of the canal and locks, Willamette Falls, Clackamas County, Oregon, and to use the canal right of way for abutments or other construction work, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Willamette Falls canal, Oreg.

Crown Willamette Paper Company may bridge Lock No. 4.

Construction. Vol. 34, p. 84.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 31, 1921.

**CHAP. 17.**—Joint Resolution For the relief of sufferers in Colorado from the flood due to the overflow of the Arkansas River and its tributaries.

June 8, 1921.

[H. J. Res. 148.]

[Pub. Res., No. 5.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to take such temporary sanitary measures as he may deem necessary and to furnish subsistence and quartermaster supplies belonging to the Military Establishment and available, and issue the same to such destitute persons in Colorado as

Arkansas River floods in Colorado.

Army supplies to be furnished sufferers from.

Post, p. 456.