

be imported and released without bond if they meet all the criteria of the special exemption. If a special exemption is granted after the product has been imported under bond in accordance with paragraph (d) of this section, the bond conditions pertaining to the notification of compliance from the Secretary of Health and Human Services shall be deemed to have been satisfied.

(f) *Merchandise refused entry.* If electronic products are denied entry under any provision of this section, the port director shall refuse to release the merchandise for entry into the United States.

(g) *Disposition of merchandise refused entry into the United States; redelivered merchandise.* Electronic products which are denied entry under paragraph (b) of this section, or which are redelivered in accordance with paragraph (d) of this section, and which are not exported under Customs supervision within 90 days from the date of notice of refusal of admission or date of redelivery, shall be disposed of under Customs laws and regulations. However, no such disposition shall result in an introduction into the United States of an electronic product in violation of the Act (42 U.S.C. 263f, 263h).

[T.D. 83-235, 48 FR 52436, Nov. 18, 1983, as amended by T.D. 84-213, 49 FR 41168, Oct. 19, 1984]

SWITCHBLADE KNIVES

**§ 12.95 Definitions.**

Terms as used in §§12.96 through 12.103 of this part are defined as follows:

(a) *Switchblade knife.* "Switchblade knife" means any imported knife, or components thereof, or any class of imported knife, including "switchblade", "Balisong", "butterfly", "gravity" or "ballistic" knives, which has one or more of the following characteristics or identities:

- (1) A blade which opens automatically by hand pressure applied to a button or device in the handle of the knife, or any knife with a blade which opens automatically by operation of inertia, gravity, or both;
- (2) Knives which, by insignificant preliminary preparation, as described in paragraph (b) of this section, can be

altered or converted so as to open automatically by hand pressure applied to a button or device in the handle of the knife or by operation of inertia, gravity, or both;

(3) Unassembled knife kits or knife handles without blades which, when fully assembled with added blades, springs, or other parts, are knives which open automatically by hand pressure applied to a button or device in the handle of the knife or by operation of inertia, gravity, or both; or

(4) Knives with a detachable blade that is propelled by a spring-operated mechanism, and components thereof.

(b) *Insignificant preliminary preparation.* "Insignificant preliminary preparation" means preparation with the use of ordinarily available tools, instruments, devices, and materials by one having no special manual training or skill for the purpose of modifying blade heels, relieving binding parts, altering spring restraints, or making similar minor alterations which can be accomplished in a relatively short period of time.

(c) *Utilitarian use.* "Utilitarian use" includes but is not necessarily limited to use:

- (1) For a customary household purpose;
- (2) For usual personal convenience, including grooming;
- (3) In the practice of a profession, trade, or commercial or employment activity;
- (4) In the performance of a craft or hobby;
- (5) In the course of such outdoor pursuits as hunting and fishing; and
- (6) In scouting activities.

[T.D. 71-243, 36 FR 18859, Sept. 23, 1971, as amended by T.D. 90-50, 55 FR 28192, July 10, 1990]

**§ 12.96 Imports unrestricted under the Act.**

(a) *Common and special purpose knives.* Imported knives with a blade style designed for a primary utilitarian use, as defined in §12.95(c), shall be admitted to unrestricted entry provided that in condition as entered the imported knife is not a switchblade knife as defined in §12.95(a)(1). Among admissible common and special purpose knives are