

into the hands of one of the members of RMA, which advertised both its hose and its belting products as being marked in such a manner, so that the marking with the name of the country of manufacture can be readily removed prior to merchandising.

That was a very, very specific advertisement.

Mr. BURKE. This would indicate a conspiracy to remove the markings?

Mr. BATIN. What action has been taken on these complaints that you made?

Mr. KAPLAN. Customs, in almost all of the instances has advised the RMA that the complaint was well taken, that the particular importation was in fact not marked consistent with customs requirements.

This, of course, was after the fact. This was considerably after the importation, and in fact, in some cases, after it had entered the marketplace, and that they apprised the particular importer of the marking laws, directed his attention to those laws, which I submit the importer had a duty to know about before he imported, and that it won't happen again, or shouldn't happen again.

There has only been one instance of any penalty that was attempted to be assessed against a particular importer. That was on a west coast importation, where it was turned over to the U.S. attorney's office, for criminal penalties, which were never processed to its completion.

It also ended up in a reprimand, but a more formal reprimand, to the importer.

The main problem stems from the fact that the importation of these rubber products, which should be and are subject to specific marking requirements, are not subject to specific physical examination upon entry into the country, by experts of the customs officials, who are familiar with the marking laws.

These officials are import and commodity specialists at various ports, and customs has deviated considerably from what had been an age-old practice of full physical examination of most imports. This is a great rarity, today, the actual examination being done.

Mr. BURKE. Do they make spot checks?

Mr. KAPLAN. It is spot checks, done not by the import specialists who are commodity men of a fairly high Government grade, with great qualifications, and who are well familiar with all regulations pertaining to their particular commodity. They don't conduct the majority of these spot checks.

It is rather conducted by customs inspectors at the wharves, which are a different breed of customs man, a very, very hard-working customs man, but not as high paid a specialist as the import specialist, and they sample quite a product sampling of various types of merchandise, and it is impossible to expect them to know all of the laws pertaining to all of the particular and unique commodities.

Mr. BURKE. Have you sent a letter to your Congressman or U.S. Senator bringing this matter to their attention?

Mr. KAPLAN. This is a matter that has been brought to the attention of the customs authorities on numerous occasions, as well as the Treasury Department. This is the —

Mr. BURKE. Sometimes, you might get a stronger reaction if you wrote to your Congressman or Senator, and bring it to their attention, and then they can bring it up to the agency.