

MEMORANDUM D5-1-4

Ottawa, January 1, 1988

SUBJECT

MAIL CONTAINING INTOXICATING LIQUORS/DANGEROUS MATERIALS

This Memorandum outlines and explains the procedures to be used when intoxicating liquors/beverages or dangerous materials are found in mail items by Customs during examination of international mails.

GUIDELINES AND GENERAL INFORMATION

- 1.The Importation of Intoxicating Liquor Act defines those importers who may import intoxicating liquors into any province from or out of any place within or outside Canada.
- 2.The Prohibited Mail Regulations issued by Canada Post pursuant to paragraph 17(1)(a) of the Canada Post Corporation Act further defines and limits the importation of intoxicating liquors. The majority of importations under these regulations are deemed to be non-mailable matter and are to be handled as outlined in paragraphs 6 through 8 of this Memorandum. For intoxicating liquors or beverages consigned to provincial liquor control boards or authorized agents, licenced distilleries and licenced importers refer to paragraph 9 of this Memorandum.
- 3.Subsection 40(4) of the Canada Post Corporation (C.P.C.) Act states that any non-mailable matter found by a Customs Officer in any mail made available to Customs under this section shall be dealt with in accordance with the Canada Post Regulations respecting non-mailable matter and its disposition.
- 4.Schedule I of the above noted regulations outlines and describes non-mailable matter for delivery within Canada and includes intoxicating liquors and dangerous materials. Section 101 of the Customs Act permits the officer to detain such goods which have been imported in contravention of any Act of Parliament or any regulation made thereunder.
- 5.All intoxicating beverages/liquors and dangerous materials which are deemed to be non-mailable matter are to be removed from the course of post by Customs and transferred to C.P.C. for disposal according to their Act and Regulations as outlined in section 102 of the Customs Act.

INTOXICATING LIQUORS IN POSTAL PARCELS

Procedure For Intoxicating Beverages or Liquor

6. When a mail item contains an intoxicating beverage or liquor only, the addressee is to be notified by Customs of the action taken by means of the form letter detailed in Appendix A to this Memorandum. The liquor is returned with the form letter to Canada Post for disposition. Each form letter is to be sequentially numbered from a manual control log for security and control purposes. The control log will serve to record the action taken. An employee of Canada Post will sign the control log to acknowledge receipt of the non-mailable matter and the date of the form letter will coincide with the date of transfer of the goods to Canada Post. No E 14 document is to be prepared.

7. When the mail item contains both intoxicating articles and dutiable goods, the addressee is to be notified by Customs of the action taken by means of the form letter detailed in Appendix B to this Memorandum. The procedure listed in paragraph 6 of this Memorandum relating to the manual control log and transfer of the goods to C.P.C. is to be followed. The E 14-1 or E 14-2 form respecting the other goods found to be dutiable shall be prepared according to the normal procedures outlined in Memorandum D5-1-1, Customs International Mail Processing. The parcel containing the dutiable items is returned to Canada Post for delivery in the normal manner with the form letter enclosed.

8. When the mail item contains both intoxicating articles and non-dutiable goods, the addressee is to be notified by Customs of the action taken by means of the form letter detailed in Appendix C to this Memorandum. No E 14 document is to be prepared. The manual control log is completed and the goods are transferred to Canada Post for disposition as noted in paragraph 6 of this Memorandum. The form letter is inserted in the mail item and the parcel is then turned over to C.P.C. for delivery to the addressee.

PROVINCIAL LIQUOR CONTROL BOARDS

9. Intoxicating liquors consigned to Provincial Liquor Control Boards or authorized agents, licenced distilleries, breweries and licenced importers are not subject to the aforementioned restrictions. The goods are to be documented on an E 14-2 form noted "Mail Item Detained — Accounting Document Required". The mail item is subsequently held by Customs in a controlled storage area with the E 14-2 number indicated on the mail item. The manual control log is completed as outlined in paragraph 6 of this Memorandum. The E 14-2 document only is released for delivery to the addressee. Upon presentation of the formal accounting document and payment of duties, taxes and provincial liquor fees, the long room will advise the Customs mail centre that the mail item may be released. The accounting document number and date of release are to be recorded in the manual control log and the mail item released to C.P.C. for delivery to the addressee.

PROCEDURES FOR DANGEROUS MATERIALS

10. All mail items containing substances and articles such as explosive substances, inflammable liquids or solids, compressed gas, corrosive liquids, oxidizing, toxic, combustible, radioactive or infectious matter, matches (except safety matches in Canada Post approved containers), liquid celluloid and celluloid in other forms, including inflammable films, are not entitled to transmission in the mail. The aforementioned prohibition includes most liquid fluids, paint, every type of aerosol can, cartridges, shells, grenades, fuses, detonators or portions thereof or any other substance or article which is explosive or inflammable, or likely to injure persons or damage mail.

11. When a mail item contains only dangerous materials, Customs is to remove the goods and use the form letter detailed in Appendix D to this Memorandum to inform the addressee of the action taken. The manual control log (paragraph 6) is to be completed and the goods transferred to C.P.C. An employee of C.P.C. will acknowledge receipt of the goods and sign the control log. No E 14 document is prepared.

12. When the mail item contains both dangerous materials and other dutiable goods, the Customs Officer shall remove the dangerous goods, record the action in the control log and transfer the goods to C.P.C. for disposition.

13. The addressee is to be advised of the action taken by means of the form letter detailed in Appendix E to this Memorandum. The E 14 form for the dutiable goods is to be prepared in the normal manner. The form letter is inserted into the mail item, and the parcel is returned to C.P.C. for delivery.

14. If the mail item contains both dangerous materials and non-dutiable articles, the dangerous goods are removed and the addressee advised by means of the form letter detailed in Appendix F to this Memorandum. No E 14 document is to be prepared. The manual log is to be completed. The goods are returned to C.P.C. for disposition. The form letter is inserted in the mail item with the remaining non-dutiable items and the parcel is turned over to C.P.C. for delivery to the addressee.

APPENDIX A

DATE:
CONTROL NO.:
ADDRESSEE

SENDER

Dear Sir/Madam:

The purpose of this letter is to advise you that the mail item containing intoxicating beverage(s)/liquor (as listed below) addressed to you has been removed by Canada Customs from the course of post on behalf of the Canada Post Corporation. Canada Post Regulations state that intoxicating beverages or liquor are "Non-Mailable Matter" and when found in any mail item by a Customs Officer must be transmitted to the Canada Post Corporation for disposal in accordance with its regulations.

The mail item contained: _____

Canada Post will detain the item(s) for 30 days prior to disposal at the Undeliverable Mail Office in Toronto.

The item of mail containing the intoxicating beverage/liquor listed above may be returned to the sender or authorized representative in the country of origin by the Undeliverable Mail Office if you are willing to pay the postage.

If you have any questions concerning this matter, including payment of the return postage, please contact:

Undeliverable Mail Office
Intoxicating Beverage or Liquor Division
20 Bay Street
Toronto, Ontario
M5J 2N8
Yours sincerely,

APPENDIX B

DATE:
CONTROL NO.:
ADDRESSEE

SENDER

Dear Sir/Madam:

The purpose of this letter is to advise you that the intoxicating beverage/liquor (as listed below) included in the mail item addressed to you has been removed by Canada Customs in accordance with Canada Post Regulations. The remaining items have been released by Customs and are enclosed.

The Request for Payment/Postal Declaration or Advice Notice/Postal Declaration attached to your mail item explains how to submit your payment and/or accounting documents to cancel the outstanding account in your name.

Canada Post Regulations state that intoxicating liquor or beverages are "Non-Mailable Matter" and when found in any mail item by a Customs Officer, must be transmitted to Canada Post for disposal in accordance with its regulations.

Contents removed by Customs and turned over to Canada Post officials:

Canada Post will retain the item(s) for 30 days prior to disposal at the Undeliverable Mail Office in Toronto.

The intoxicating beverage/liquor listed above may be returned to the sender or authorized representative in the country of origin by the Undeliverable Mail Office if you are willing to pay the return postage.

Undeliverable Mail Office
Intoxicating Beverage or Liquor Division
20 Bay Street
Toronto, Ontario
M5J 2N8
Yours sincerely,

PROTECTED

APPENDIX C

DATE:
CONTROL NO.:
ADDRESSEE

SENDER

Dear Sir/Madam:

The purpose of this letter is to advise you that the intoxicating beverage/liquor (as listed below) included in the mail item addressed to you has been removed by Canada Customs on behalf of the Canada Post Corporation in accordance with its Regulations. The remaining items have been released by Customs and are enclosed.

Canada Post Regulations state that intoxicating beverages or liquor are "Non-Mailable Matter" and when found in any mail item by a Customs Officer, must be transmitted to Canada Post Corporation for disposal in accordance with its regulations. Contents removed by Customs and turned over to Canada Post officials:

Canada Post will retain the item(s) for 30 days prior to disposal at the Undeliverable Mail Office in Toronto.

The intoxicating beverage/liquor listed above may be returned to the sender or authorized representative in the country of origin by the Undeliverable Mail Office if you are willing to pay the return postage.

If you have any questions concerning this matter, including payment of the return postage, please contact:

Undeliverable Mail Office
Intoxicating Beverage or Liquor Division
20 Bay Street
Toronto, Ontario
M5J 2N8
Yours sincerely,

PROTECTED

APPENDIX D

DATE:
CONTROL NO.:
ADDRESSEE

SENDER

Dear Sir/Madam:

The purpose of this letter is to advise you that the mail item containing dangerous material(s) (as listed below) addressed to you has been removed by Canada Customs from the course of post on behalf of the Canada Post Corporation.

Canada Post Regulations state that dangerous materials are "Non-Mailable Matter" and when found in any mail item by a Customs Officer, must be transmitted to the Canada Post Corporation for disposal in accordance with its regulations.

The mail item contained:

The dangerous materials listed above may not be returned to the sender. If you have any questions concerning this matter please contact the Manager, Customer Service, Canada Post Corporation (refer to Appendix G of this Memorandum for the appropriate address).

Yours sincerely,

PROTECTED

APPENDIX E

DATE:
CONTROL NO.:
ADDRESSEE

SENDER

Dear Sir/Madam:

This letter is to advise you that the dangerous material(s) (as listed below) included in the mail item addressed to you has/have been removed by Customs in accordance with Canada Post Regulations. The remaining items have been released by Customs and are enclosed.

The Request for Payment/Postal Declaration or Advice Notice/Postal Declaration attached to your mail item explains how to submit your payment and/or accounting documents to cancel the outstanding inventory issued to your name.

Canada Post Regulations state that dangerous materials are "Non-Mailable Matter" and when found in any mail item by a Customs Officer, must be transmitted to the Canada Post Corporation for disposal in accordance with its regulations.

Contents removed by Customs and turned over to Canada Post officials:

The dangerous materials listed above may not be returned to the sender.

If you have any questions concerning this matter please contact the Manager, Customer Service, Canada Post Corporation (refer to Appendix G of this Memorandum for the appropriate address).

Yours sincerely,

PROTECTED

APPENDIX F

DATE:
CONTROL NO.:
ADDRESSEE

SENDER

Dear Sir/Madam:

This letter is to advise you that the dangerous material(s) (as listed below) included in the mail item addressed to you has/have been removed by Customs in accordance with Canada Post Regulations. The remaining items have been released by Customs and are enclosed.

Canada Post Regulations state that dangerous materials are "Non-Mailable Matter" and when found in any mail item by a Customs Officer, must be transmitted to the Canada Post Corporation for disposal in accordance with its regulations.

Contents removed by Customs and turned over to Canada Post officials:

The dangerous materials listed above may not be returned to the sender.

If you have any questions concerning this matter please contact the Manager, Customer Service, Canada Post Corporation (refer to Appendix G of this Memorandum for the appropriate address).

Yours sincerely,

PROTECTED

APPENDIX G

DIVISIONAL CUSTOMER SERVICE OFFICES

Manager, Customer Service
Atlantic Division
P.O. Box 1689
HALIFAX, N.S.
B3J 2B1

Area Service Manager
Mid-West Division
2200 Saskatchewan Drive
REGINA, Sask.
S4P 0B5

Area Service Manager
Foothills Division
Room 372
220 4th Ave. S.E.
CALGARY, Alberta
T2G 4Y2

Gestionnaire, Service à la clientèle
Division de Montréal
715, rue Peel, salle 628
MONTRÉAL, Québec
H3C 2H0

Manager, Customer Service
Rideau Division
1224 Old Innes Road
OTTAWA, Ontario
K1A 0C1

Manager, Customer Service
20 Bay Street
TORONTO, Ontario
M5J 2N8

Manager, Sales & Customer Service Support
Huron Division
255 Dufferin Avenue, Suite 703
LONDON, Ontario
N6A 5K6

Manager, Customer Service
Mid-West Division
266 Graham Avenue
WINNIPEG, Manitoba
R3C 0K0

Manager, Customer Service
Foothills Division
9828-104th Avenue
EDMONTON, Alberta
T5J 2T0

Manager, Customer Service
Pacific Division
P.O. Box 2110
VANCOUVER, B.C.
V6B 4Z3

REFERENCES

EFFECTIVE DATE —

January 1, 1988

ISSUING OFFICE —

Entry, Postal and Appraisal Division

LEGISLATIVE REFERENCES —

Customs Act, sections 101 and 102

HEADQUARTERS FILE —

7965-3, 7975-4, 7975-7

SUPERSEDED MEMORANDA "D" —

R5-1-10, June 19, 1985

OTHER REFERENCES —

Canada Post Corporation Regulations Respecting Non-Mailable Matter and its
Disposition
D5-1-1

SERVICES PROVIDED BY THE DEPARTMENT ARE AVAILABLE IN BOTH
OFFICIAL LANGUAGES.

THIS MEMORANDUM IS ISSUED UNDER THE AUTHORITY OF THE DEPUTY
MINISTER OF NATIONAL REVENUE, CUSTOMS AND EXCISE.