

SERKO SIMON GLUCK & KANE LLP
Customs and International Trade Law

Acquiring Art & Antiquities: *What Every Buyer & Acquirer Must Know*

Presented by
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US Cultural Property Implementation Act (19 USC 2601-2613)

- **Implements 1970 UNESCO Cultural Property Convention**
- **Articles of Cultural Property stolen from a museum, religious or secular public monument (19 USC 2607)**

Importing Contrary to Law (19 USC 1595a)

- **Makes subject to seizure and forfeiture the introduction of any articles that are stolen, smuggled, restricted or otherwise imported contrary to law**
- **Example - Country of Origin Declaration Upon Import**

Smuggling Goods into the United States

18 USC § 545

- ***Knowingly and willfully,***
- **With *intent* to defraud the United States,**
- **Smuggles, or clandestinely introduces or**
- **Attempts to smuggle or clandestinely introduce into the United States**
- ***Any merchandise* which should have been invoiced,**
- **Or makes out or passes, or attempts to pass, through the customhouse any false, forged, or fraudulent invoice, or other document or paper; or**

Smuggling Goods into the United States

18 USC § 545 (Cont.)

- ***Fraudulently or knowingly***
- **Imports into the United States**
- ***Any merchandise***
- **Contrary to law, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation,**
- **Knowing the same to have been imported or brought into the United States contrary to law**

Smuggling Goods into the United States

18 USC § 545 (Cont.)

- **Shall be imprisoned up to five years and/or fined.**
- **Merchandise shall be forfeited to the United States.**

Entry of Goods By Means of False Statements (18 USC § 542)

- **Enters or introduces,**
- **Or attempts to enter or introduce,**
- **Into the commerce of the United States**
- **Any imported merchandise**
- **By means of any fraudulent or false invoice, declaration, or other document,**
- **Or by means of any false statement, written or verbal,**

Entry of Goods By Means of False Statements (18 USC § 542)

- **Or by means of any false or fraudulent practice or appliance,**
- **Or makes any false statement in any declaration**
- **Without reasonable cause to believe the truth of such statement,**
- **Imprisoned up to 2 years and/or fined.**



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On Behalf of
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Thank you.