

(vii) The system records both the manufacturer and the importer of foreign-made explosives;

(viii) The system records the names and addresses of the distributee (buyer), and in the case of a corporation or other business entity, its authorized representative or agent. An ATF Form 5400.4 transaction number may be used to reference additional information, such as date of birth, place of birth, identification used, etc.;

(ix) The system cannot rely on invoices or other paper/manual systems to provide any of the required information. It must be self contained; and

(x) If the business is discontinued, all records, including a final printout, must be forwarded to the ATF Out-of-Business Records Center, or any ATF office in the region in which the business was located.

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Par. 10. Section 55.122 is amended by adding a sentence after the first sentence in the introductory text of paragraph (a); by adding a sentence after the fourth sentence in paragraph (a)(4), before the parenthetical text “(See also § 55.127.)”; by revising the introductory text of paragraph (c); and by revising paragraph (c)(1) to read as follows:

§ 55.122 Records maintained by licensed importers.

(a) * * * Such inventory will consist of all the information required in paragraph (b) of this section. * * *

(4) * * * All discrepancies disclosed between the physical inventory of explosive materials and the records required by this part must be reconciled in the records by the close of the next business day. * * *

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(c) Each licensed importer must, not later than the close of the next business day following the date of use or date of distribution of any explosive materials to another licensee or a permittee, enter in a separate record the following information:

(1) Date of use or date of disposition.

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Par. 11. Section 55.123 is amended by adding a sentence after the first sentence in the introductory text of paragraph (a); by adding a sentence after the fourth sentence in paragraph (a)(4), before the parenthetical text “(See also § 55.127.)”; by redesignating paragraphs (b)(2) through (b)(4) as paragraphs (b)(3) through (b)(5); by adding a new paragraph (b)(2); by revising paragraph (c); by removing paragraph (d); and by redesignating paragraphs (e) and (f) as paragraphs (d) and (e) to read as follows:

§ 55.123 Records maintained by licensed manufacturers.

(a) * * * Such inventory will consist of all the information required in paragraph (b) of this section. * * *

(4) * * * All discrepancies disclosed between the physical inventory of explosive materials and the records required by this part must be reconciled in the records by the close of the next business day. * * *

(b) * * *

(2) Name or brand name of manufacturer or name of importer, as applicable, if acquired other than by his own manufacture.

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(c)(1) Each licensed manufacturer must, not later than the close of the next business day following the date of use or distribution of any explosive materials to another licensee or a permittee, enter in a separate record the following information:

(i) Date of use or date of disposition.

(ii) Name or brand name of manufacturer or name of importer, as applicable, if acquired other than by his own manufacture.

(iii) Manufacturer's marks of identification.

(iv) Quantity (applicable quantity units, such as pounds of explosives, number of detonators, number of display fireworks, etc.).

(v) Description (dynamite (dyn), blasting agents (ba), detonators (det), display fireworks (df), etc.) and size (length and diameter or diameter only of display fireworks).

(vi) License or permit number of licensee or permittee to whom the explosive materials are distributed.

(2) *Exception.* A licensed manufacturer is exempt from the recordkeeping requirements of paragraph (c)(1) of this section if the explosive materials are manufactured for his own use and used within a 24-hour period at the same site.

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Par. 12. Section 55.124 is amended by adding a sentence after the first sentence in the introductory text of paragraph (a), by adding a sentence after the fourth sentence in paragraph (a)(4), before the parenthetical text “(See also § 55.127.)”, and by revising paragraph (c)(1) to read as follows:

§ 55.124 Records maintained by licensed dealers.

(a) * * * Such inventory will consist of all the information required in paragraph (b) of this section. * * *

(4) * * * All discrepancies disclosed between the physical inventory of explosive materials and the records required by this part must be reconciled

in the records by the close of the next business day. * * *

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(c)(1) Date of use or date of disposition.

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Par. 13. Section 55.125 is amended by adding a sentence after the first sentence in the introductory text of paragraph (a) and by adding a sentence after the fourth sentence in paragraph (a)(4), before the parenthetical text “(See also § 55.127.)”, to read as follows:

§ 55.125 Records maintained by permittees.

(a) * * * Such inventory will consist of all the information required in paragraph (b) of this section. * * *

(4) * * * All discrepancies disclosed between the physical inventory of explosive materials and the records required by this part must be reconciled in the records by the close of the next business day. * * *

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Par. 14. Section 55.126(b) is revised to read as follows:

§ 55.126 Explosives transaction record.

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(b) Before the distribution of explosive materials to a nonlicensee or nonpermittee who is a resident of the State in which the licensee or permittee maintains his business premises, or to a nonlicensee or nonpermittee who is not a resident of the State in which the licensee or permittee maintains his business premises and is acquiring explosive materials under § 55.105(c), the licensee or permittee distributing the explosive materials will:

(1) Obtain an executed ATF F 5400.4 from the distributee that contains all of the information required on the form and by the regulations in this part; and

(2) Cause the distributee to be identified in any manner customarily used in commercial transactions (e.g., a driver's license) and will note on the Form 5400.4 the type of identification used and the identification number.

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Par. 15. Section 55.129 is amended by designating the existing paragraph as paragraph (a), by revising the first sentence in newly designated paragraph (a), and by adding new paragraphs (b) and (c) to read as follows:

§ 55.129 Exportation.

(a) Exportation of explosive materials is to be in accordance with the applicable provisions of section 38 of the Arms Export Control Act (22 U.S.C. 2778), the Export Administration Act (50 U.S.C. APP. 2401 *et seq.*), and the