§ 41510. Required adherence to foreign air transportation tariffs

(a) Prohibited Actions by Air Carriers, Foreign Air Carriers, and Ticket Agents.— An air carrier, foreign air carrier, or ticket agent may not—

(1) charge or receive compensation for foreign air transportation that is different from the price specified in the tariff of the carrier that is in effect for that transportation;

(2) refund or remit any part of the price specified in the tariff; or

(3) extend to any person a privilege or facility, related to a matter required by the Secretary of Transportation to be specified in a tariff for foreign air transportation, except as specified in the tariff.

(b) Prohibited Actions by Any Person.— A person may not knowingly—

(1) pay compensation for foreign air transportation of property that is different from the price specified in the tariff in effect for that transportation; or

(2) solicit, accept, or receive—

(A) a refund or remittance of any part of the price specified in the tariff; or

(B) a privilege or facility, related to a matter required by the Secretary to be specified in a tariff for foreign air transportation of property, except as specified in the tariff.


### Historical and Revision Notes

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In this section, the words “greater or less” are omitted as being included in “different”. The words “foreign air transportation” are substituted for “air transportation” because 49 App.:1373 no longer applies to interstate or overseas air transportation and 49 App.:1376(a)–(e), restated in section 41901 of the revised title, governs prices for the transportation of mail by aircraft. See section 40102(a) of the revised title defining “air transportation” to mean interstate or foreign air transportation or the transportation of mail by aircraft. The words “for any service in connection therewith” are omitted as surplus because the word “transportation” includes any services related to the transportation.
In subsection (a), before clause (1), the words “may not” are substituted for “no . . . shall” and “no . . . shall, in any manner or by any device, directly or indirectly, or through any agent or broker, or otherwise” for clarity and to eliminate unnecessary words. In clause (1), the words “demand or collect” are omitted as being included in “charge or receive”. The words “then currently” are omitted as surplus. In clause (3), the words “tariff for foreign air transportation” are substituted for “such tariffs” for clarity.

In subsection (b), before clause (1), the words “shipper, consignor, consignee, forwarder, broker, or other . . . or any director, officer, agent, or employee thereof” are omitted as surplus. In clause (1), the words “directly or indirectly, by any device or means” and “currently” are omitted as surplus. In clause (2), before subclause (A), the words “in any manner or by any device, directly or indirectly, through any agent or broker, or otherwise” are omitted as surplus. In subclause (B), the word “favor” is omitted as surplus.