

June 13, 2000

ENT-14 FO:TP:IA:TT SST

TO: All Directors, Field Operations and Port Directors

FROM: Director, Trade Programs

SUBJECT: TBT-00-010 New Rule of Origin for Fabric and Other Miscellaneous Textiles

BACKGROUND:

Section 334 of the Uruguay Round Agreements Act (URAA), as originally enacted, provided that fabrics and certain made-up products originate in the country, territory or possession where the constituent fibers, filaments, or yarns are woven, knitted, needled, tufted, felted, entangled, or transformed by any other fabric-making process. This rule of origin is codified in 19 USC 3592 and 19 CFR 102.21. Currently, the rules of origin codified in 19 CFR 12.130 only apply to Israel.

Section 405 of the Trade and Development Act of 2000, which was signed into law on May 18, 2000, amends Section 334(b)(2) of the URAA. The amendments made by Section 405 will apply to goods entered, or withdrawn from warehouse for consumption, on or after May 18, 2000.

Customs Regulations at 19 CFR 102.21 will be amended to reflect these changes. However in the meantime the statutory changes are effective immediately.

ACTION:

Effective May 18, 2000, Section 405 provides that certain fabrics and made-ups originate in the country, territory or possession in which the fabric is both dyed and printed when accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decating, permanent stiffening, weighting, permanent embossing, or moireing.

Section 405 applies only to those fabrics classified in the Harmonized Tariff Schedule of the United States (HTSUS) that are of silk, cotton, man-made fiber, or vegetable fiber. Please note that wool fabric is not included in this modification.

Section 405 also applies, as described below, to made-up products classified under the following HTSUS headings and subheadings: (NOTE: The words in parentheses are provided for descriptive purposes only and do not define the scope of the HTSUS provision for purposes of the statutory amendment.)

6117.10 (knitted or crocheted shawls, scarves, mufflers, mantillas, veils and the like),
6213 (handkerchiefs, not knitted or crocheted),
6214.00 (shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted),
6302.22 (man-made fiber printed bed linen, not knitted or crocheted),
6302.29 (printed bed linen, not knitted or crocheted, of other than cotton or man-made fiber),
6302.52 (table linen of flax),
6302.53 (table linen of man-made fibers),
6302.59 (table linen, not knitted or crocheted, of other than cotton, flax or man-made fiber),
6302.92 (toilet and kitchen linen of flax),
6302.93 (toilet and kitchen linen of man-made fibers),
6302.99 (toilet and kitchen linen of other textile materials),
6303.92 (curtains, including drapes, interior blinds and bed valances, not knitted or crocheted of synthetic fibers),
6303.99 (curtains, including drapes, interior blinds and bed valances, not knitted or crocheted of other textile materials),
6304.19 (bedspreads not knitted or crocheted),
6304.93 (other furnishing articles, not knitted or crocheted, of synthetic fibers),
6304.99 (other furnishing articles, not knitted or crocheted, other than of synthetic fibers or cotton),
9404.90.85 (quilts, eiderdowns, comforters and similar articles), and
9404.90.95 (other articles of bedding and similar furnishings)

Except for goods classified under such headings as of cotton or of wool or consisting of fiber blends containing 16 percent or more by weight of cotton, the above listed HTSUS numbers shall be considered to originate in, and be the growth, product, or manufacture of the country, territory, or possession in which the fabric is both dyed and printed when accompanied by 2 or more of the following finishing operations: bleaching, shrinking, fulling, napping, decatizing, permanent stiffening, weighting, permanent embossing, or moireing.

Shipments that were exported prior to the enactment but not entered for consumption or withdrawn from warehouse for consumption before May 18, 2000 that now have an invalid textile export visa due to the amendments are to be denied entry. The Committee for the Implementation of Textile Agreements (CITA) will, on request of the foreign government, issue a visa waiver to allow entry of the merchandise.

INFORMATION:

If you have any questions concerning these procedures, please call Susan Thomas at (202) 927-3719, Gina Tayler at (202) 927-4882, or Bob Abels at (202) 927-1959.

Elizabeth G. Durant

cc: Executive Director, Field Programs
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