

January 6, 2005

CMP-11 FO:TCF:TEO:TO SST

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS

FROM: Acting Executive Director, Trade Compliance and Facilitation  
Office of Field Operations

SUBJECT: TBT-05-001 Folklore Articles, Handloomed Fabric and  
Handmade Articles From Such Handloomed Fabric  
Produced in Mozambique Eligible For Preferential Tariff  
Treatment Under the African Growth and Opportunity Act  
(AGOA) (TCF TC# 05-0543)

REFERENCE: TBT-01-008 AGOA Implementation Instructions  
TBT-02-008 Mozambique Visa Arrangement

BACKGROUND:

The Trade and Development Act of 2000 ("the Act"), which was signed into law on May 18, 2000, authorized a new trade and investment policy for sub-Saharan Africa. The Act provides for duty-free treatment for imports of certain textile and apparel products of beneficiary sub-Saharan African countries, including handloomed, handmade, or folklore articles that are certified as such by competent authorities of the beneficiary country. Executive Order 13191 dated January 17, 2001 authorized the Committee for the Implementation of Textile Agreements (CITA) to consult with beneficiary countries and to determine which particular textile and apparel goods shall be treated as handloomed, handmade, or folklore articles.

Per a January 25, 2001 Federal Register Notice (66 FR 7837), the President delegated the Office of the United States Trade Representative (USTR) the authority to direct Customs to ensure that textile and apparel articles described in Section 112 of the Act are entered, or withdrawn from warehouse, for consumption accompanied by an appropriate export visa when preferential tariff treatment is claimed with respect to such articles. Grouping 9 of this visa arrangement is for handmade, handloomed, or folklore articles. Please note that the quantity shown on the visa for grouping 9 will be the

normal reporting quantity for the type of imported merchandise. For example, if rugs or handloomed fabric are imported, the reported quantity will be in square meters; if bedspreads, towels or other household furnishings are imported, the reported quantity will be in kilos; and if it is wearing apparel, it will be reported as in groupings 1 to 8.

CITA has consulted with Mozambican authorities. In the January 3, 2005 Federal Register Notice (70 FR 78), CITA has determined that certain folklore articles, listed below, handloomed fabrics, handloomed articles (e.g., handloomed rugs, scarves, place mats, and tablecloths) and handmade articles made from handloomed fabrics produced in and exported from Mozambique are eligible for preferential tariff treatment under section 112(a) of the AGOA if accompanied by an AGOA export visa for Grouping 9 issued by the Government of Mozambique. An AGOA claim may be filed for such articles under Harmonized Tariff Schedule (HTS) provision 9819.11.27 when accompanied by an appropriate export visa.

CITA has determined that the following textile and apparel goods shall be treated as folklore articles for purposes of the AGOA if produced in and exported from Mozambique. Articles must be ornamented in characteristic Mozambican or regional folk style. An article may not include modern features such as zippers, elastic, elasticized fabrics, or hook-and-pile fasteners (such as velcro or similar holding fabric). An article may not incorporate patterns that are not traditional or historical to Mozambique, such as airplanes, buses, cowboys, or cartoon characters and may not incorporate designs referencing holidays or festivals not common to traditional Mozambican culture, such as Halloween and Thanksgiving.

Eligible folklore articles:

(a) Traditional Shirt

The article is a loose-fitting, straight-seamed shirt made of tie-dyed fabric. Sleeves are half to three-quarter in length. The neckline is rounded, slit, or v-shaped without collar. There is intricate embroidery around the neckline, outer trim of sleeves, and lower hem. May or may not have square-shaped breast and lower front pockets, also generally trimmed with intricate embroidery.

(b) Women's Traditional Tunic/ Mozambican Pedaços

A loose flowing, straight-seamed, non-tailored, full-length outer tunic, made of tie-dyed or other colorful fabric. The neckline is rounded, slit, or v-shaped, without collar. There is intricate embroidery around the neckline and outer trim of sleeves. The neckline can be round or have a slit down the center front. Accompanying head wrap is a rectangular piece of matching fabric.

**ACTION:**

Effective January 10, 2005 certain folklore articles, listed above, handloomed fabrics, handmade articles (e.g. handloomed rugs, scarves, place mats, and tablecloths) and handmade articles made from such handloomed fabrics produced in and exported from

Mozambique are eligible for preferential tariff treatment under the AGOA if accompanied by an AGOA export visa for Grouping 9 issued by the Government of Mozambique and classified under HTS 9819.11.27.

Please pass this memorandum to Port Directors, Assistant Port Directors, Import Specialists, CBP Officers, Entry Specialists, Brokers, Importers and Other Interested Parties.

INFORMATION:

For additional information, please contact Ms. Susan Thomas, at (202) 344-3719 or Mr. Robert Abels, at (202) 344-1959.

/s/

Lawrence J. Rosenzweig