U.S. Department of Homeland Security
Washington, DC 20229

U.S. Customs and
Border Protection

JUL 20 2010

CMP-11 OT:TPP:TOB DL

MEMORANDUM FOR: Directors, Field Operations
Assistant Directors, Trade, Field Operations
Office of Field Operations

FROM: Acting Executive Director, Trade Policy and Programs
Office of International Trade

SUBJECT: TBT-10-005 Textile and Apparel Goods Determined to be "Folklore Articles" and "Ethnic Printed Fabrics" Produced in Burkina Faso Eligible for Preferential Tariff Treatment under the African Growth and Opportunity Act (AGOA)

REFERENCE: TBT-01-008 AGOA Implementation Instructions
TBT-06-018 Burkina Faso Textile Visa Arrangement

BACKGROUND:

The Committee for the Implementation of Textile Agreements (CITA) consulted with Burkina Faso authorities on June 8, 2010 and determined that folklore articles and ethnic printed fabrics produced in and exported from Burkina Faso are eligible for preferential tariff treatment under the African Growth and Opportunity Act (AGOA). CITA published this determination in a July 14, 2010 *Federal Register* notice (75FR134).

CITA has determined that the following textile and apparel goods shall be treated as folklore articles for purposes of the AGOA if such goods are made in Burkina Faso. Articles must be ornamented in characteristic Burkina Faso or regional folk style. An article may not include modern features such as zippers, elastic, elasticized fabrics, snaps, 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 Burkina Faso, such as airplanes, buses, cowboys, or cartoon characters and may not incorporate designs referencing holidays or festivals not common to traditional Burkina Faso culture, such as Halloween and Thanksgiving.

Eligible folklore articles:
(a) Bala: Made of cotton fabric strips woven and assembled by hand; embroidered by machine. The colors vary but embroidery is usually white. It is a loose fitting garment for men, consisting of a tunic, which is three-quarters length, embroidered with sleeves, the neckline is a slit down the center, surrounded by embroidery; and a cap, which is cylindrical and fitted.

(b) Djiwa: Made of cotton fabric strips woven by hand with embroidery cotton floss. Patterns and colors of the fabrics vary as well as the embroidery. This men's garment is loose-fitting and consists of four pieces: 1) an inner tunic gown, three-quarter length, usually with intricate embroidery around the neckline, chest, pockets and end of sleeves; 2) trousers, loose fitting and secured at the waist by a drawstring, embroidery at the end of the trousers; 3) an outer gown, loose fitting, embroidery along the neckline, chest, waist and on the back; and 4) a matching cap which is cylindrical and fitted.

(c) Dozo Fani: Made of cotton fabric strips woven by hand, dyed with natural dyes (bogolan) and assembled by hand. The patterns consist of animals, dogon ideograms, or diverse geometrical forms. The colors are brown, black, yellow and red exclusively. This is a loose fitting, one-piece garment for men, open on both sides with no sleeves

(d) Bougouni: Made of cotton fabric strips woven and assembled by hand. This is a loose fitting garment for men and women, open on both sides, with or without straps attaching the sides. It is white, black or indigo and patterned in strips of cloth with a hound's-tooth pattern in the middle.

Burkina Faso Ethnic Printed Fabrics

Each ethnic print must meet all of the criteria listed below:

A) selvedge on both edges.
B) width of less than 50 inches.
C) classifiable under subheading 5208.52.30 or 5208.52.40 of the Harmonized Tariff Schedule of the United States.
D) contains designs, symbols, and other characteristics of African prints normally produced for and sold in Africa by the piece.
E) made from fabric woven in the U.S. using U.S. yarn or woven in one or more eligible sub-Saharan beneficiary countries using U.S or African yarn.
F) printed, including waxed, in one or more eligible sub-Saharan beneficiary countries.

ACTION:

Effective July 14, 2010, folklore articles and ethnic printed fabrics as described above, which have been produced in and exported from Burkina Faso, 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 Burkina Faso. Such products are classifiable under HTS provision 9819.11.27 when accompanied by an appropriate export visa.

Please pass this administrative message to port directors, assistant port directors, import specialists, CBP officers, entry specialists, brokers, importers, and other interested parties.

INFORMATION

If you have questions concerning this notice, please contact International Trade Specialist Diane Liberta at (202) 863-6241, Import Specialist Nancy Mondich at (202) 863-6524, or Branch Chief Robert Abels at (202) 863-6503, in the Textile Operations Branch of the Office of International Trade.

Stephen Hilsen

cc: National Account Managers, Office of International Trade (OT)
National Import Specialists, OT
International Trade Specialists, OT
Executive Director, Commercial Targeting and Enforcement, OT