



**U.S. Customs and
Border Protection**

MAR 31 2011

ENT-14 OT:TPP:TAPP:TO NM

MEMORANDUM FOR: Directors, Field Operations

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

SUBJECT: TBT-11-004 Additional Documents Used to Verify Free Trade Agreement and Legislated Trade Program Claims for Textiles and Wearing Apparel

REFERENCE: TBT-07-019 Documents Used to Verify Free Trade Agreement and Legislated Trade Program Claims for Textiles and Wearing Apparel

BACKGROUND

As specified in TBT-07-019, referenced above, in the enforcement of Free Trade Agreements (FTAs) and legislated trade programs that govern the importation of textiles and wearing apparel into the United States, U.S. Customs and Border Protection (CBP) may request importers who make trade preference claims for textiles and wearing apparel to provide documentation to substantiate their claims that goods meet the preference rule of origin for the given trade preference program. TBT-07-019 outlines the information that is needed in the documentation in order to support a claim.

While the TBT makes reference to affidavits, CBP will accept other types of documentation that contain all of the elements described in TBT-07-019. An example of such a document is a Certificate of Origin prepared for a specific product by the Government of Guatemala's National Commission of Quota Administration for Textiles and Wearing Apparel (Comision Nacional de Administracion de Cuotas Textiles y Prendas de Vestir de Guatemala).

To summarize the essential points of TBT-07-019, the elements required in order for the documentation to support a claim for preferential tariff treatment based on a trade preference program include:

- 1) A statement from a person with direct knowledge of the production of the raw material. If a company has factories in several locations and has designated a centralized point of contact for providing this information, CBP will accept the statement from the authorized provider.
- 2) The address of the actual production facility where the raw material was produced. This cannot be a post office box. While the person authorized to sign the affidavit may work from the corporate office or another office facility, the affidavit must show the address where the materials were produced.
- 3) The name of the contact person legibly printed, and at least one of the following: phone number, fax number, or email address.
- 4) A description of the goods including fiber content, yarn count, and fabric type, as appropriate, and identifying information such as an invoice or order number.

A more extensive list and description of the documents that CBP may request in the verification of claims for preferential tariff treatment is included in TBT-07-019.

ACTION

Import specialists may accept as valid support of claims for preferential tariff treatment documents other than affidavits supplied by the producers of materials, if such alternate documents demonstrate that the products qualify for preferential treatment and include all of the data elements specified in TBT-07-019.

Please pass this notice to port directors, assistant port directors (trade), import specialists, CBP officers, entry specialists, brokers, importers and other interested parties.

INFORMATION

For additional information, please contact International Trade Specialist Diane Liberta at (202) 863-6241, Import Specialist Nancy Mondich at (202) 863-6524, or Textile Operations Branch Chief Robert Abels at (202) 863-6503 in the Office of International Trade.



Brenda B. Smith

cc: Assistant Directors, Trade, Field Operations
Assistant Directors, Border Security
Assistant Directors, Mission Support
Director, Trade Operations Division
National Import Specialists