

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Establishment of a New Export Visa Arrangement, Certification Requirements and Establishment of a Guaranteed Access Level for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in El Salvador

January 6, 1995.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing export visa and certification requirements and a guaranteed access level.

EFFECTIVE DATE: January 11, 1995.

FOR FURTHER INFORMATION CONTACT: Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The Export Visa Arrangement of December 27, 1994 between the Governments of the United States and the Republic of El Salvador establishes an export visa arrangement and certification requirements for certain textile products, produced or manufactured in El Salvador and exported from El Salvador on and after January 2, 1995. Goods exported during the period January 2, 1995 through March 3, 1995 shall not be denied entry for lack of a visa. All goods exported after March 3, 1995 must be accompanied by an appropriate visa or certification.

Beginning on January 11, 1995, the U.S. Customs Service will start signing the first section of the form ITA-370P for shipments of U.S. formed and cut parts in Categories 340/640 that are destined for El Salvador and subject to the GAL established for Categories 340/640 the period beginning on January 2, 1995 and extending through December 31, 1995. These products are governed by Harmonized Tariff item number 9802.00.8015 and Chapter 61 Statistical Note 5 and Chapter 62 Statistical Note 3 of the Harmonized Tariff Schedule. Interested parties should be aware that shipments of cut parts in Categories 340/640 must be accompanied by a form ITA-370P, signed by a U.S. Customs officer, prior to export from the United

States for assembly in El Salvador in order to qualify for entry under the Special Access Program.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 59 FR 65531, published on December 20, 1994).

Requirements for participation in the Special Access Program are available in **Federal Register** notices 51 FR 21208, published on June 11, 1986; 52 FR 26057, published on July 10, 1987; and 54 FR 50425, published on December 6, 1989.

Facsimiles of the visa and certification stamps for the Government of the Republic of El Salvador are on file at the U.S. Department of Commerce, Office of Textiles and Apparel, 14th and Constitution Avenue, NW., room 3104, Washington, DC.

Interested persons are advised to take all necessary steps to ensure that textile products that are entered into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa and certification requirements set forth in the letter published below to the Commissioner of Customs.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

January 6, 1995.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and pursuant to the Export Visa Arrangement of December 27, 1994 between the Governments of the United States and the Republic of El Salvador; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 11, 1995, entry into the Customs territory of the United States (i.e., the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton and man made fiber textile products in Categories 340/640, produced or manufactured in El Salvador and exported from El Salvador on and after January 2, 1995 for which the Government of the Republic of El Salvador has not issued an appropriate export visa or certification fully described below. Should additional categories, merged categories or part categories be added to the bilateral agreement, the entire category(s) or part category(s) shall be included in the coverage of this arrangement on an agreed effective date. However, goods exported during the

period January 2, 1995 through March 3, 1995 shall not be denied entry for lack of a visa. All goods exported after March 3, 1995 must be accompanied by an appropriate visa or certification.

A visa must accompany each commercial shipment of the aforementioned textile products, unless under the Special Access Program. A circular stamped marking in blue ink will appear on the front of the original commercial invoice. The original visa shall not be stamped on duplicate copies of the invoice. The original invoice with the original visa stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or visa may not be used for this purpose.

Each visa stamp shall include the following information:

1. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numerical digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for El Salvador is "SV"). The first two codes shall be followed by the number "1" and a five-digit serial number identifying the shipment; e.g., 5SV100002.

2. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

3. The original signature of the issuing official.

4. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation, as amended.

Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment (e.g., Categories 340/640 may be visaed as 340/640 or if the shipment consists solely of 340 merchandise, the shipment may be visaed as "Cat. 340," but not as "Cat. 640").

The complete name and address of the actual manufacturer of the textile product must be included on the visa document. If a textile product has been processed by more than one manufacturer, the complete name and address of the last firm to substantially transform the article into a new and different article of commerce must be listed on the visa document.

U.S. Customs shall not permit entry if the shipment does not have a visa, or if the visa number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the visa is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the visa is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.

If the visa is not acceptable then a new visa and correct visa must be obtained from the Government of the Republic of El Salvador, or a visa waiver may be issued by the U.S.