

and only the amount entered shall be charged to any applicable quota.

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.

If the visa is not acceptable then a new visa must be obtained from the Government of the Republic of Colombia, or a visa waiver may be issued by the U.S. Department of Commerce at the request of the Embassy of Colombia in Washington, DC, and presented to the U.S. Customs Service before any portion of the shipment will be released. The waiver, if used, only waives the requirement to present a visa with the shipment. It does not waive the quota requirement.

If the visaed invoice is deficient, the U.S. Customs Service will not return the original document after entry, but will provide a certified copy of that visaed invoice.

If import quotas are in force, U.S. Customs Service shall charge only the actual quantity in the shipment to the correct category limit. If a shipment from Colombia has been allowed entry into the commerce of the United States with either an incorrect category classification or misstatement of the quantity, and redelivery is requested but cannot be made, U.S. Customs shall charge the shipment to the correct category limit whether or not a replacement visa or visa waiver is provided.

Each shipment of items to be exempted from the bilateral agreement shall be accompanied by a certification issued by the Government of the Republic of Colombia. The certification shall be a stamped marking in blue ink on the front of the invoice.

The Government of the Republic of Colombia will include the following information on each certification:

1. authorized signature and title of the official issuing the certification;
2. identify the items exempted;
3. date the certificate was signed and certified;
4. certificate number.

5. in the space marked "Description" indicate that the shipment is either "less than \$250," "a cottage industry product of handloom fabric," or the name of the particular Colombian traditional folklore products as listed in Annex A.

An export visa will not be required for shipments of certified exempt items.

Each shipment of textile products which has been assembled in the Republic of Colombia wholly from components cut in the United States from U.S. formed fabric which are subject to the Andean Special Access Textile Program as set out in the Agreement shall be so certified by the Government of the Republic of Colombia. This certification shall be presented to the U.S. Customs Service before entry, or withdrawal from warehouse for consumption, into the customs territory of the United States (the 50 states and Puerto Rico).

Each shipment shall be certified by the stamping of the original rectangular-shaped

stamped marking in blue ink on the front of the original commercial invoice. The original copy of the invoice with the original certification will be required in order to enter the shipment into the United States. Duplicate copies of the invoice and/or certification may not be used.

Each certification shall include the following information:

1. The certification number. The certification number shall be nine digits and letters. It shall begin with one digit for the last digit of the year of export followed by the two character country code for Colombia, which is "CO." These first two codes shall be followed by the number "2" and a five-digit serial number identifying the shipment, e.g., 5CO212345.

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

3. The original signature of the issuing official of the Government of the Republic of Colombia.

4. The correct category(s), merged category(s), part category(s), quantity(s), and unit(s) of quantity in the shipment in the unit(s) of quantity provided for in the U.S. Department of Commerce Correlation and in the Harmonized Tariff Schedule of the United States Annotated (HTSUSA or successor documents) shall be reported in the spaces provided within the visa stamp (e.g., "Cat. 352-510 DZ").

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 352/652 may be visaed as 352/652 or if the shipment consists solely of 352 merchandise, the shipment may be visaed as "Cat. 352," but not as "Cat. 652").

U.S. Customs shall not permit entry if the shipment does not have a certification 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 certification is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the certification is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.

Entry of textile products subject to the certification system outlined above into the customs territory of the United States will be permitted only for those shipments accompanied by:

1. A valid certification by the Government of the Republic of Colombia.
2. A completed copy of form ITA-370P or successor document with a proper declaration by the Colombian assembler that the articles were subject to assembly in Colombia from parts described on that declaration; and
3. A proper importer's declaration.

Any shipment which is not accompanied by a valid and correct certification in accordance with the foregoing provisions shall be denied entry by the Government of the United States. If U.S. Customs determines

that the certification is invalid because of an error, and the remaining documentation fulfills requirements for entry under the Andean Special Access Textile Program then a new certification from the Government of the Republic of Colombia must be obtained or a visa waiver issued by the U.S. Department of Commerce at the request of the Government of the Republic of Colombia must be obtained and presented to the U.S. Customs Service before any portion of the shipment will be released.

Any shipment found not to be in compliance with the provisions of the Andean Special Access Textiles Program relating to trade in textile products wholly assembled of U.S. components cut from U.S. formed fabrics, may be permanently denied entry under this program.

Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked or mutilated commercial sample shipments valued at U.S.\$250 or less, do not require a visa or certification for entry and shall not be charged to existing quota levels.

Visaed merchandise and products eligible for the Andean Special Access Textiles Program may not appear on the same invoice.

The visa and certification stamps are enclosed. The certification stamp for exempt items remains unchanged.

The actions taken concerning the Government of the Republic of Colombia with respect to imports of textiles and textile products in the foregoing categories have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1). This letter will be published in the Federal Register.

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Annex A—Colombian Traditional Folklore Handicraft Textile Products

"Colombian Items" are traditional Colombian products, cut, sewn or otherwise fabricated by hand in cottage units of the cottage industry. The following is the agreed upon list of such items:

1. *Bedspread:* Bedspread made on manual loom.
2. *Blouse with crochet knitted neck:* A blouse made of greige cloth heavily decorated around the neck, extending down the front and around the sleeves with hand crochet work. This blouse also has embroidered panels extending down the front on either side of the crochet work.