(b) Denial of entry pursuant to directive. Textile or apparel products subject to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), whether or not the requirements set forth in §102.21 or §102.22, as applicable, have been met, will be denied entry where the factory, producer, manufacturer, or other company named in the entry documents for such textile or apparel products is named in a directive published in the FEDERAL REGISTER by the Committee for the Implementation of Textile Agreements as a company found to be illegally transshipping, closed or unable to produce records to verify production. In these circumstances, no additional information will be accepted or considered by CBP for purposes of determining the admissibility of such textile or apparel products.

[CBP Dec. 05–32, 70 FR 58013, Oct. 5, 2005]

§ 102.25 Textile or apparel products under the North American Free Trade Agreement.

In connection with a claim for NAFTA preferential tariff treatment involving non-originating textile or apparel products subject to the tariff preference level provisions of appendix 6.B to Annex 300–B of the NAFTA and Additional U.S. Notes 3 through 6 to Section XI, Harmonized Tariff Schedule of the United States, the importer must submit to CBP a Certificate of Eligibility covering the products. The Certificate of Eligibility must be properly completed and signed by an authorized official of the Canadian or Mexican government and must be presented to CBP at the time the claim for preferential tariff treatment is filed under §101.21 of this chapter. If the port director is unable to determine the country of origin of the products, they will not be entitled to preferential tariff treatment or any other benefit under the NAFTA for which they would otherwise be eligible.

[CBP Dec. 05–32, 70 FR 58013, Oct. 5, 2005]
a. Some words in the title of the foreign manufacturer’s name are not to be used for the purpose of constructing the MID. For example, most textile factories in Macau start with the same words, “Fabrica de Artigos de Vestuário,” which means “Factory of Clothing.” For a factory named “Fabrica de Artigos de Vestuário JUMP HIGH Ltd,” the portion of the factory name that identifies it as a unique entity is “JUMP HIGH.” This is the portion of the name that should be used to construct the MID. Otherwise, all of the MIDs from Macau would be the same, using “FABDE,” which is incorrect.

b. Similarly, many factories in Indonesia begin with the prefix PT, such as “PT Morich Indo Fashion.” In Russia, other prefixes are used, such as “JSC,” “AO,” “OOO,” and “ZAO.” These prefixes are to be ignored for the purpose of constructing the MID.

4. The next group of characters in the MID consists of the first four numbers in the largest number on the street address line. For example, “11455 Main Street, Suite 9999” would yield “1145.” A suite number or a post office box is to be used if it contains the largest number. For example, “232 Main Street, Suite 1234” would yield “1234.” If the numbers in the street address are spelled out, such as “One Thousand Century Plaza,” no numbers representing the manufacturer’s address will appear in this section of the MID. However, if the address is “One Thousand Century Plaza, Suite 345,” this would yield “345.” When commas or hyphens separate numbers, all punctuation is to be ignored, and the number that remains is to be used. For example, “12,34,56 Alaska Road” and “12–34–56 Alaska Road” would yield “1234.” When numbers are separated by a space, both numbers are recognized and the larger of the two numbers is to be selected. For example, “Apt. 509 2727 Cleveland St.” would yield “2727.”

5. The last characters in the MID consist of the first three letters in the city name. For example, “Tokyo” would yield “TOK,” “St. Michel” would yield “STM,” “18-Mile High” would yield “MLH,” and “The Hague” would yield “HAG.” Numbers in the city name or line are to be ignored. For city-states, the first three letters are to be taken from the country name. For example, Hong Kong would yield “HON,” Singapore would yield “SIN,” and Macau would yield “MAC.”

6. As a general rule, in constructing a MID, all punctuation, such as commas, periods, apostrophes, and ampersands, are to be ignored. All single character initials, such as the “S” in “Thomas S. Delvaux Company,” are also to be ignored, as are leading spaces in front of any name or address.

7. Examples of manufacturer names and addresses and their corresponding MIDs are listed below:

LA VIE DE FRANCE, 243 Rue de la Payees, 62591 Bremond, France; FRLAVIE243BRE
20TH CENTURY TECHNOLOGIES, 5 Ricardo Munoz, Suite 5680, Caracas, Venezuela; VE20TCE5680CAR
Fabrica de Artigos de Vestuário TOP JOB, Grand River Building, FL 2–4, Macau; MOTOJOP24MAC
THE GREENHOUSE, 45 Royal Crescent, Birmingham, Alabama 35204; USGRE45BR
CARDUCCIO AND JONES, 88 Canberra Avenue, Sidney, Australia; AUJARJON88SID
N. MINAMI & CO., LTD., 2–6, 8-Chome Isogami-Dori, Fukuoka-Ku, Kobe, Japan; JPMINCO86KOB
BOCCACCIO S.P.A., Visa Mendotti, 61, 8320 Verona, Italy; ITBOCSPA61VER
MURLA-PRAXITELES INC., Athens, Greece; GRMRINACHT
SIGMA COY E.X.T., 1640 Delgado, ITSGCYOY1640SMY
COMPANHIA TEXTIL KARSTEN, Calle Grande, 25–27, 67890 Lisbon, Portugal; PTKAR2527LIS
HURON LANDMARK, 1840 Huron Road, Windsor, ON, Canada N9C 2L5; XOHURLAN1840WIN

[CBP Dec. 05–32, 70 FR 58015, Oct. 5, 2005]

PART 103—AVAILABILITY OF INFORMATION

Sec. 103.0 Scope.

Subpart A—Production of Documents/ Disclosure of Information Under the FOIA

103.1 Public reading rooms.
103.2 Information available to the public.
103.3 Publication of information in the FEDERAL REGISTER.
103.4 Public inspection and copying.
103.5 Specific requests for records.
103.6 Grant or denial of initial request.
103.7 Administrative appeal of initial determination.
103.8 Time extensions.
103.9 Judicial review.
103.10 Fees for services.
103.11 Specific Customs Service records subject to disclosure.
103.12 Exemptions.
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Subpart B—Production or Disclosure in Federal, State, Local, and Foreign Proceedings

103.21 Purpose and definitions.
103.22 Procedure in the event of a demand for Customs information in any federal, state, or local civil proceeding or administrative action.