

determine the country of origin of a textile or apparel product, the importer must submit additional information as requested by the port director. Release of the product from CBP custody will be denied until a determination of the country of origin is made based upon the information provided or the best information available.

(c) *Date of exportation.* For quota, visa or export license requirements, and statistical purposes, the date of exportation for textile or apparel products listed in §102.21(b)(5) will be the date the vessel or carrier leaves the last port in the country of origin, as determined by application of §102.21 or §102.22, as applicable. Contingency of diversion in another foreign territory or country will not change the date of exportation for quota, visa or export license requirements or for statistical purposes.

[CBP Dec. 05-32, 70 FR 58013, Oct. 5, 2005, as amended at CBP Dec. 11-09, 76 FR 14584, Mar. 17, 2011]

#### §102.24 Entry of textile or apparel products.

(a) *General.* Separate shipments of textile or apparel products, including samples, which originate from a country subject to visa or export license requirements for exports of textile or apparel products, arriving in the customs territory of the United States for one consignee on the same conveyance on the same day, the combined value of which is over \$250, will not be entered under the informal entry procedures set forth in subpart C, part 143 or procedures set forth in §141.52 of this chapter. Port directors will refuse separate informal entries and require a formal entry and visa or export license, as appropriate, for all such merchandise. A consignee for purposes of this section is the ultimate consignee and does not include a freight forwarder or Customs broker not importing for its own account.

(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, manufac-

turer, 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 §181.21 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]

#### APPENDIX TO PART 102—TEXTILE AND APPAREL MANUFACTURER IDENTIFICATION

##### RULES FOR CONSTRUCTING THE MANUFACTURER IDENTIFICATION CODE (MID)

1. Pursuant to §102.23(a) of this part, all commercial importations of textile or apparel products, as defined in that paragraph, must identify on CBP Form 3461 (Entry/Immediate Delivery) and CBP Form 7501 (Entry Summary), and in all electronic data transmissions that require identification of the manufacturer, the manufacturer of such