

December 23, 2005

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MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS

FROM: Executive Director, Trade Enforcement and Facilitation
Office of Field Operations

SUBJECT: TBT-05-031 Manufacturer Identification Code (MID)
Requirements for Textiles and Textile Products

REFERENCE: TBT-05-027
TBT-05-029

BACKGROUND:

On October 5, 2005 the textile declaration requirement, formerly found in 19 CFR 12.130(f), for all importations of textile and textile products was eliminated. This applied to all products and countries, including products subject to China Safeguards and non-WTO countries still subject to bilateral textile agreements (i.e. Belarus, Russia, Ukraine, and Vietnam).

With the elimination of the textile declaration, 19 CFR 102 has been modified and sets forth the requirements for origin and the construction of the manufacturer identification code (MID) for all shipments of textile or textile products listed in 19 CFR 102.21(b)(5). This new regulation requires that the MID be constructed from the name and address of the entity performing the origin-conferring operations pursuant to 19 CFR 102.21 or 19 CFR 102.22, as applicable.

On October 20, 2005, CBP provided a grace period until November 18, 2005 not to enforce the MID requirement. This was done to give the trade community some time to establish procedures to comply with this new regulation and provide accurate MID information for shipments of textile and textile products.

The following is being issued to clarify the MID requirements.

ACTION:

The MID is required for all entries in which a CBP Form 3461 and CBP Form 7501 must be submitted to CBP to make entry. This would apply to both formal and informal entries. For textile merchandise identified in 19 CFR 102.21 (b)(5) this MID must be calculated from the manufacturer that performs the origin conferring process. If an importer cannot provide the name of the manufacturer that performed the origin

conferring process, the goods can be excluded when there are admissibility concerns, i.e. if the importer cannot provide the name of the manufacturer who produced the goods when these goods are subject to quota/visa admissibility issues.

If CBP determines that an MID is calculated from a party that did not produce the goods then the importer and broker may be subject to penalties. Importers can show that they exercised reasonable care by providing the broker with a statement naming the producer of the merchandise or including this information on the invoice. The importer should obtain a statement from their agent providing the name and address of the factory that produced the merchandise.

INFORMATION:

If you have any questions concerning this administrative notice, please contact Ms. Jacqueline Sprungle, at (202) 344-2277, Ms. Susan Thomas, at (202) 344-3719, or Mr. Robert Abels, at (202) 344-1959.

(Leon Hayward Signed For)

Vera Adams