



# Quota/ Visa Handbook

CBP Office of Trade

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U.S. Customs and  
Border Protection

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## FOREWORD

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The 2023 Quota/Visa External Handbook provides the most current information for those seeking guidance relating to the processing of merchandise subject to quota, visa, certificate, and license requirements for preferential trade eligibility.

The handbook takes into account multiple new trade agreements or proclamations implemented since the previous version of the handbook: Presidential Proclamations providing for absolute quotas on steel originating from the Republic of South Korea, Argentina and Brazil and providing for absolute quota on aluminum originating in Argentina; section 201 requirements; the United States-Mexico-Canada Agreement (USMCA); and the Presidential Proclamations providing for tariff-rate quotas (TRQs) on certain steel and aluminum products from the European Union, Japan and the United Kingdom.

Quotas, visas, certificates, licenses, and permit requirements built into Free Trade Agreements have increased the necessity of using electronic systems to validate, communicate and measure the use of these documents. CBP is expanding the use of the electronic certificate validating system (eCERT), to address the compliance and enforcement requirements of some certificate-regulated commodities. eCERT provides government-to-government communication related to those certificates via the Automated Commercial Environment (ACE) platform.

The Quota and Agriculture Branch in collaboration with the Trade Transformation Office continues to ensure that ACE programming provides CBP, partner government agencies, and the trade community with modernized processes and accurate statistics to manage quota entries and reporting. Effective quota programming for applicable Trade Agreements and Presidential Proclamations is an enforcement tool aimed at the prevention of quota misclassification, mis-quantification, and false country of origin of goods that are subject to quota (quantitative limits), and/or require certificates, licenses, visas, or permits.

The format of this handbook is intended to be “user friendly” and to ensure uniform quota, visa, certificate, permit, and license processing, and a high level of confidence in the accuracy of data being input into the ACE quota module. This issue supersedes the Quota/Visa Reference Handbook 3200-08 dated, December 2014, as well as earlier versions, and includes:

- Citation updates for the Code of Federal Regulations (CFR), CBP directives, and other issuances;
- Enhanced information related to free trade agreements, preferential trade legislation, and other circumstances involving special processing requirements;
- New topics such as proration, opening moment, post-entry claims, and corrections/deletions;
- An updated and expanded reference section; and
- “Questions and Answers” within each section addressing common concerns.

The Office of Trade is committed to the effective management of quota and visa processing and will continue to modify processes to reflect current trade trends.



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# QUOTA/VISA REFERENCE HANDBOOK

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## I. QUOTA OVERVIEW

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### QUOTA BASICS

An import quota is a quantity control on imported merchandise for a certain period of time. Quotas are established by legislation and proclamations issued under the relevant authority. The majority of import quotas are administered and enforced by U.S. Customs and Border Protection (CBP). While CBP administers and enforces most import quotas, CBP is not authorized to change or modify the quota requirements.

There are three types of quotas: **absolute, tariff-rate, and tariff preference level**. In addition to administering the three types of quotas, CBP is responsible for generating statistical reports of specific commodities at the request of other agencies.

**Absolute quota** permits a limited number of units of specified merchandise to be entered or withdrawn for consumption during specified periods. Once the quantity permitted under the quota is filled, no further entries or withdrawals for consumption of merchandise subject to that quota period are permitted.

**Tariff-rate quota (TRQ)** permits a specified quantity of merchandise to be entered or withdrawn for consumption at a reduced duty rate during a specific period. Quantities imported in excess of the quota may be entered in unlimited amounts during the quota period but are subject to the column one rate of duty in the Harmonized Tariff Schedule of the United States (HTSUS).

**Tariff preference level (TPL) quota** is similar to a tariff-rate quota and applies to certain textiles and apparel covered by free trade agreements or special trade programs. Quantities imported in excess of the reduced duty rate for a TPL are subject to the column one rate of duty in the HTSUS.

Monitoring quotas occurs at the request of other Federal agencies and is used to determine the quantity of a commodity being imported from a specific country or group of countries. This information is then used to determine the need for establishing quotas, negotiating market access agreements, and detecting unusual fluctuations in foreign trade.

### TRACKING QUOTA

CBP tracks quota quantities via the Quota Module of the Automated Commercial Environment (ACE). ACE quota entries are processed with minimal data input by CBP personnel who may manually verify and enter summary information in the ACE Quota Module.

As merchandise is entered for consumption or withdrawn from a warehouse for consumption, quota information is entered into ACE by the filer and the reported quantities are added or

deducted from the total amount allowed for that quota period. For non-ABI (Automated Broker Interface) entries, the designated CBP field personnel will manually enter the entry summary into ACE. ACE provides users with the entry status of a quota, including restraint level, quantity entered to date, and percentage filled.

CBP administers quota on a “first come, first serve” basis. The importer’s place in line is determined by the date and time the entry summary is presented to CBP in proper form.

**“In proper form”** means that the entry summary is correct (*i.e.*, proper estimated duties attached, proper HTSUS number claimed, etc.) and contains the information necessary for CBP to determine whether the merchandise is entitled to quota status and priority (*see* ruling [HQ 229188](#) (March 4, 2002)).

**For a quota filed in ACE to be considered in proper form**, the following criteria must be met:

- Cargo arrival date has been transmitted by the logistics provider into ACE or, in the case of land border crossing, by CBP personnel.
- Completed entry summary for consumption or warehouse withdrawal is on file.
- Valid payment has been submitted or is scheduled for payment on statement.

In the case of technical issues, a “snow day” (one day extension of time to file) may be issued: *see* [APPENDIX IX](#) (“Snow Day”) of this handbook.

In the case of merchandise imported by vessel, “date of importation” means the date on which the vessel arrives within the limits of a port in the United States with intent then and there to unlade such merchandise [[19 CFR 101.1](#)] All quota-class entries must be filed as one of the following quota entry types and entered via the ACE Quota Module. [[ACE Entry Summary Business Process Document \(Version 10.5, March 2021\)](#).]

- Entry Type 02, Consumption entry – Quota / Visa
- Entry Type 06 (*if Quota*), Consumption entry – Foreign Trade Zone (FTZ)
- Entry Type 07, Consumption entry – Quota / Visa and AD / CVD
- Entry Type 12, Informal entry – Quota other than textiles
- Entry Type 23, TIB, Temporary Importation Bonds – Quota
- Entry Type 32, Warehouse withdrawal – Quota / Visa
- Entry Type 38, Warehouse withdrawal – Quota / Visa and AD / CVD
- Entry Type 51 (*if Quota*), Government entry – Defense Contract (DCMAO NY)
- Entry Type 52 (*if Quota*), Government entry – Any U.S. Federal Government Agency
- Entry Type 53 (*if Quota*), Government entry – Duty Free



## **ADDITIONAL INFORMATION**

CBP HQ Quota instructions to interested parties such as brokers and importers, related to quota openings, proration, and processing procedures are found on the Quota Bulletins (QBs) at: <http://www.cbp.gov/trade/quota>.

QBs have replaced the previous Quota Book Transmittals (QBT). Current year and relevant previous year bulletins are organized by year of issuance and available at <https://www.cbp.gov/trade/quota/bulletins>. QBs are specifically targeted to the trade community and contain, but are not limited to, updates on quota policy and changes to quota limits. The QB link should be checked monthly and whenever a related Cargo System Messaging Service (CSMS) message is issued.

The Quota Weekly Commodity Status Report, including Tariff Preference levels (TPLs), Historical TPL Fill tables, and other useful reference documents, are available on the CBP.gov website at <https://www.cbp.gov/trade/quota/tariff-rate-quotas>.

## II. TYPES OF QUOTA

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### ABSOLUTE QUOTA

An absolute quota permits a limited quantity of merchandise to be entered or withdrawn for consumption during specified time periods. Once the quantity permitted under the quota is filled, no further entries or withdrawals for consumption of merchandise subject to that quota are permitted. [[19 CFR 132.1\(a\)](#)]. If an absolute quota fills, merchandise imported in excess of the absolute quota must be resolved by holding the merchandise for the opening of the next quota period by admitting it into a FTZ or by entering it into a Customs Bonded warehouse. The merchandise may also be exported or destroyed under CBP supervision [[19 CFR 132.5](#)].

Examples of absolute quota commodities include steel and aluminum.

Merchandise subject to an absolute quota must be entered using entry/entry summary procedures and may not be released under entry or special permit for Immediate Delivery (ID) procedures [[19 CFR 132.13\(a\)\(1\)\(ii\)](#)]. A visa may be required as a condition of release for certain types of merchandise.

For absolute quotas, HQ Quota sets a “threshold” quantity (usually 85% of the quota restraint limit). This is done to prevent the quota from potentially overfilling. Once the quota quantity reaches threshold, the entry summary lines go on quota “hold” and ACE will not process the quota until HQ Quota takes further action. HQ Quota reviews these transactions and releases the lines in the order in which they were presented until the quota fills. ACE and HQ Quota reject quota requests on any entry lines presented after the quota fills. (See [SECTION IV](#) of this handbook for specific instructions for processing quota lines in “hold” status.)

Once the quota is filled, HQ Quota provides proration information. Quantities in excess of the quota limit must be admitted into a FTZ, Customs Bonded warehouse, exported, or destroyed under CBP supervision. [[19 CFR 132.5\(c\)](#)].

### TARIFF-RATE QUOTA (TRQ)

A tariff-rate quota permits a specified quantity of merchandise to be entered or withdrawn for consumption at a reduced duty rate during a specific period. [[19 CFR 132.1\(b\)](#)] Examples of tariff-rate quota commodities include certain types of food, dairy products, and brooms. A certificate of eligibility or export license may be required for the merchandise to be eligible for a particular TRQ. See each specific [Quota Bulletin \(QB\)](#) for additional information. The QBs are published to inform all affected parties of updates to Quota-related issues such as opening moments or specific quota-related issues.

Merchandise subject to a tariff-rate quota may be entered into ACE by the filer using entry/entry summary procedures or ID procedures (entry with entry summary to follow). Under ID procedures, the entry summary must be presented in proper form within 10 working days after

the merchandise or any part of the merchandise is authorized for release under a special permit for ID or, for quota class merchandise within the quota period, whichever expires first [[19 CFR 142.23](#)].

**When ID procedures are used and the quota fills before the summary is presented, the importer must pay the over-quota (high) rate of duty.** If entry/entry summary procedures are used and the quota fills, the importer's options are to pay the over-quota (column one) rate of duty or admit into a FTZ, admit into a Customs Bonded warehouse, export, or destroy the merchandise quantity in excess of the restraint limit.

For tariff-rate quotas, the threshold is generally set at 95% of the quota restraint limit, depending on the commodity. This prevents the quota from potentially overfilling. Once the quota quantity reaches threshold, the entry summary lines will go on "hold" and ACE will not process the quota until HQ Quota takes further action. HQ Quota reviews these transactions and releases the lines in order in which they were presented until the quota fills. ACE and HQ Quota rejects any lines presented after the quota fills. (See [SECTION IV](#) of this handbook for specific instructions on processing quota lines in "hold" status.)

Updated information for commodities subject to tariff rate quota can be found in the [Weekly Commodity Status Report](#). The report contains information about commodities subject to tariff-rate quotas, as well as the percentage of quota used. (See also [SECTION XII](#) of this handbook) [Historical fill tables](#) are also posted on the CBP Internet site as a tool for monitoring utilization information over several quota periods.

## **TARIFF PREFERENCE LEVEL (TPL)**

A tariff preference level quota provides a preferential duty rate, up to a specified quantity, for textiles and apparel covered by free trade agreements and special trade programs. Quantities imported in excess of a TPL are subject to the column one rate of duty. TPL commodities are entered using the same procedures as TRQ commodities. (See [SECTION VIII](#) of this handbook for examples.)

For TPL quotas, the threshold is generally set at 95% of the quota restraint limit. This prevents the quota from potentially overfilling. Once the quota quantity reaches threshold, the entry summary lines will go on "hold" and ACE will not process the quota until HQ Quota takes further action. HQ Quota reviews these transactions and releases the lines in the order in which they were presented until the quota fills. ACE and HQ Quota rejects quota on any lines presented after the quota fills. (See [SECTION IV](#) of this handbook for specific instructions on processing quota lines in "hold" status.)

A **certificate of eligibility** or a **visa** is often required in order to make a TPL claim. These documents are not a condition of release. If the documents are not available at the time of entry and the importer is not able to obtain the certificate prior to filing the entry summary, CBP may release the shipment, and the importer is responsible for paying the column one duty rate.

If an importer does not claim a TPL at the time of entry summary, the claim may be made at a later date *via* a post summary correction (PSC), within the eligible quota period, as long as quota is available, and the required certificate of eligibility or visa is submitted.

The [Quota Weekly Commodity Status Report](#) contains information about commodities subject to TPLs, as well as the percentage of quota used. (See also [SECTION XII](#) of this handbook) [Historical Fill Tables](#) are also posted on the CBP Internet site as a tool for monitoring utilization information over several quota periods.

## MONITORED QUOTA

**Monitored quotas** are initiated at the request of other government agencies in order to determine the quantity of a commodity being imported from a specific country or group of countries. Other agencies use this information to determine the need for establishing quotas or negotiating market access agreements, and to detect unusual fluctuations in foreign trade. HQ Quota is responsible for collecting import data related to monitored merchandise; importers are no longer required to enter monitored merchandise using a quota type entry.

## DEPARTMENT OF AGRICULTURE IMPORT LICENSES

The U.S. Department of Agriculture (USDA), Foreign Agricultural Service (FAS) issues import licenses for specific commodities such as cheese, milk, and milk derivatives [7 CFR Part 46]. If an importer is not in possession of the USDA FAS import license, the merchandise may be entered without the license; however, the merchandise must be classified under an HTSUS provision requiring the over-quota duty rate.

CBP is not responsible for issuing USDA FAS import licenses; however, CBP is able to delete quota lines subject to a USDA FAS import license. Any questions or problems concerning agriculture processing should be referred to USDA, Cheese and Dairy Import Group at [Dairy-ils@fas.usda.gov](mailto:Dairy-ils@fas.usda.gov) or (202) 720-1703. USDA FAS import license requirements are referenced in the additional U.S. chapter notes to the pertinent chapter of the HTSUS. For more information see Dairy Import Licensing Program USDA website (<https://www.fas.usda.gov/programs/dairy-import-licensing-program>).

## FREQUENTLY ASKED QUESTIONS (FAQs)

### **Q. How can I tell if something is subject to quota?**

**A.** The ACE search function allows the user to search quota data and process information using the search quota panel in ACE.

- The Quota [Weekly Commodity Status report](#) may also be used. It lists all of the quota imports with associated Quota ID (QID) / License numbers into the United States, it

contains information about commodities subject to TPLs, and the percentage of quota used. See [SECTION XII](#) of this handbook.

- [Historical Fill Tables](#) provides monitoring information over several quota periods.
- Several key considerations determine whether a shipment is subject to quota requirements associated with eligibility for preferential trade benefits:
  - HTSUS classification (based on merchandise description);
  - Textile category number (associated with HTSUS classification and used to determine proper quantity in square meter equivalents (SME) to apply to a quantitative restraint);
  - HTSUS chapter notes and additional U.S. notes to HTSUS chapters;
  - Country of origin (where the goods were grown, produced, or manufactured);
  - Date and time of importation/presentation.

**Q. For Cheese/Dairy Licenses, what is the difference in meaning of “Any Country” and “Other Countries?”**

A. All licenses have specific limitations. A typical license will identify the product, the country the product can be imported from, and the maximum amount that can be imported under that license.

- An “any country” license allows imports of a certain quantity of a particular product from any country in the world, instead of only one country.
- An “other country” license allows an importer to import a certain quantity of a particular product from any country **other than** a country that already has a specific TRQ. For example, the following suppliers have specific country TRQ allocations for American-type cheese: Australia, New Zealand, the European Union, and other countries. An importer with an “other country” license for 4,691 kilograms of American-type cheese could import up to that amount from Armenia or another country which is not one of the three countries or regions with a specific TRQ allocation.

**Q. What restrictions and/or duties apply to merchandise imported in excess of TPL limits or that do not qualify for a TPL?**

A. Merchandise imported in excess of the TPL or determined not to be eligible for the TPL are subject to the HTSUS column one rate of duty and subject to any restrictions in effect.

**Q. Is a textile visa the same thing as a certificate of eligibility?**

A. No. A **textile visa** is an endorsement in the form of a stamp on an invoice or export control license that is executed by a foreign government. It is used to control the exportation of textiles and/or apparel/ products to the United States and to prohibit the unauthorized entry of the merchandise into this country.

**Q. What is a Certificate of Quota Eligibility?**

A. **Certificate of Quota Eligibility (CQE)** is issued by the foreign government for shipment of non-originating textiles and apparel goods claiming TPL preference or agricultural goods under a TRQ. The certificate of eligibility is not an admissibility requirement or a condition of release. If the documents are not available at the time of entry (for a TPL), and the importer is not able to obtain the certificate prior to filing the entry summary, the merchandise may be released, and the

importer is responsible for paying the column one duty rate. If an importer does not claim a TPL when filing the entry summary, he/she may present the TPL with a PSC and request a refund if quota is available. [[Customs Directive 3230-044, \(Aug. 5, 1999\)](#)]. The certificate of eligibility requirement differs among the existing trade agreements or special trade programs.

**Q. What is the difference between a Certificate and a License?**

**A.** Certificates are issued by Foreign Governments. Licenses are issued by U.S. agencies such as USDA. Licenses and Certificates qualify goods for in quota duty treatment if quota is available.

### III. DATE AND TIME OF PRESENTATION

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#### OVERVIEW

The date and time of entry summary presentation establishes quota status and priority. Quota is filled on a first come, first served basis, *i.e.*, in the order in which documentation is presented in ACE in proper form to CBP.

**Quota status** is the standing that entitles quota-class merchandise to admission under an absolute quota, or to a reduced rate of duty under a tariff-rate quota, or to any other quota benefit. [[19 CFR 132.1\(g\)](#)]

**Quota priority** is the precedence granted to one entry or withdrawal for consumption of quota-class merchandise over other entries or withdrawals of merchandise subject to the same quota. [[19 CFR 132.1\(f\)](#)]

For purposes of quota priority and acquiring quota status, merchandise covered by an entry summary for consumption, which serves as both the entry and entry summary, or by a withdrawal for consumption, shall be regarded as entered if:

- the entry summary or withdrawal for consumption is in proper form, and duties have been attached to the entry summary or withdrawal for consumption in proper form; or
- the entry summary for consumption is in proper form, and the entry/entry summary information and a valid scheduled statement date have been successfully received by Customs via the Automated Broker Interface. [[19 CFR 132.11](#)]

#### **For quotas that do not fill at opening moment:**

For quota entry summaries transmitted through ACE, the presentation date for quota priority will be derived using the following criteria:

- The date the entry summary was transmitted.
- The date the goods have arrived. Note: Quota will be using the same arrival date as cargo release
- The date in which payment is scheduled or paid.

**The later of the three dates will be used as the presentation date. If one of the dates has not been received, the quota line will be held in “pending” status until the condition is met.**

For non-ABI entries, the date/time of presentation is the date/time received on the entry summary package, with payment attached.

For ACE Entry Summaries that use warehouse withdrawal entry types, the “presentation date” will be derived using the following criteria:

- Date the entry summary was transmitted and
- Date in which payment is scheduled or duty paid.

The later of these two dates will be used as the “presentation date.” If one of the dates has not been received, the quota line will be held in a “pending” status until the condition is met.

ACE will send a **Rejection** message to the filer for the following reasons:

- The Entry Type is not for Quota and there is at least one Quota line
- The Quota is full, expired or closed
- The Quota is banned
- The Merchandise’s license, visas, and certificates are incorrect

ACE will send a **Pending** status if either two conditions for proper form of presentation are **missing**.

- The date the goods have arrived. Note: Quota will be using the same arrival date as cargo release
- The date in which payment is scheduled or paid

**For quotas expected to fill at opening**, the date/time of presentation is noon Eastern Standard Time (ET/EST) or its equivalent in other time zones, also known as “**Opening Moment**.”

- 1300 (1 p.m.) Atlantic Time Zone (AST)
- 1200 (12 noon) Eastern Standard Time (EST)
- 1100 (11 a.m.) Central Standard Time (CST)
- 1000 (10 a.m.) Mountain Standard Time (MST)
- 0900 (9 a.m.) Pacific Standard Time (PST)

OR during daylight savings:

- 1300 (1 p.m.) Atlantic Time Zone (AST)
- 1300 (1 p.m.) Eastern Daylight Time (EDT)
- 1200 (12 noon) Central Daylight Time (CDT)
- 1100 (11 a.m.) Mountain Daylight Time (MDT)
- 1000 (10 a.m.) Pacific Daylight Time (PDT)

Eastern Standard Time zone equivalents for Alaska and Hawaii are earlier than the official opening of business for quota purposes. Therefore, the opening moment for Alaska and Hawaii is 0830 local time. Puerto Rico is in the Atlantic Time Zone (ATD), one hour ahead of Eastern Time Zone, therefore opening begins at 1300 (1 p.m.) Atlantic Time. Adjustments must be made for locations that do not observe daylight savings. QBs are issued to provide instructions of Opening Moment procedures.



Each time a quota entry summary is submitted or resubmitted electronically through ACE, the entry summary will receive a new system-generated timestamp when successfully transmitted by the trade user.

In the case of a non-ABI entry, CBP field personnel will manually process the entry in ACE. If an entry reject message is received, the filer will be contacted for resolution. When the filer submits the corrected entry summary, CBP field personal will update in ACE. This will establish a new date/time of presentation.

Quota is not accessible after the original entry quota period has closed. If an entry summary has already been transmitted or filed, and merchandise is released then subsequently found to be subject to quota, a PSC for entry cancellation and refileing for quota may only be submitted within the original quota period in which the goods arrived.

## **FREQUENTLY ASKED QUESTIONS (FAQs)**

### **Q. What are the official office hours for quota purposes?**

**A.** For purposes of administering quotas, “official office hours” means 8:30 a.m. to 4:30 p.m. in all time zones on working days. [[19 CFR 132.3](#)]

### **Q. What date/time of presentation should be used for manual input of the non-ABI entry into the quota module?**

**A.** The date/time of manual presentation are established when a filer provides the necessary entry documents and payment (discussed above) in “proper form” to CBP. [[19 CFR 132.11\(a\)](#)]

- If the entry summary has a date/time stamp, this is the date/time of presentation for quota purposes.
- If the entry summary has only a date stamp, the date/time of presentation for reporting purposes will be that stamped date and 4:30 p.m.
- If the entry summary does not have a date or time stamp, the date/time of presentation for reporting purposes will be date/time of input into the quota module by CBP.

Mail or informal entries shall be regarded as presented for purposes of quota priority when all requirements have been met and the entry has been submitted in proper form. [[19 CFR 132.11\(c\)](#)]

### **Q. When is an entry summary considered “presented” for merchandise released under the ID procedures?**

**A.** The entry summary is considered “presented” when transmitted with all the required elements or submitted in proper form with estimated duties attached or a valid scheduled statement date for Automated Clearing House (ACH) payment within ten working days from the date of release or within the quota period, whichever expires first. [[19 CFR 132.1\(d\)](#) and [19 CFR 142.23](#)]

### **Q. May tariff-rate quota or TPL merchandise be released using entry/ID procedures on the last day of the quota period?**

A. Yes. However, the entry summary must be filed in proper form by close of business on the last day of the quota period and quota must be available. [[19 CFR 142.23](#)]

**Q. If the over-quota (high) duty rate on a TRQ is in effect, is a quota entry type (*i.e.*, 02) still required?**

A. No. The over-quota (high) duty rate is considered as a general consumption entry.

**Q. What happens when merchandise eligible for TRQ or TPL is filed as an entry type 01 without a quota chapter 99 HTSUS number?**

A. If the error is discovered when the in-quota rate is still available and within the original quota period, **cancel entry type 01 and refile as a quota entry type**. If the error is discovered after the quota fills, the importer is not entitled to the in-quota (low) rate.

**Q. How would an entry presented after 4:30 p.m. EST be reported for quota administration purposes?**

A. For purposes of administering quotas, an entry presented after 4:30 p.m. EST would be reported as 8:30 AM EST using the next morning's date, not the date on the submitted entry.

**Q. How are designated federal holidays that fall on non-workdays (Saturday or Sunday) treated for quota administration purposes?**

A. The holiday is observed on Friday if the holiday falls on Saturday and observed on Monday if the holiday falls on Sunday. When CBP "observes" a holiday, the offices are not open to process quota and it is considered a non-workday. If the first day of the quota period falls on a non-workday, the first working day of the quota period would be the opening day.

**Q. What happens to filers who do not show proof of payment or proof of scheduled payment for goods expected to oversubscribe at opening?**

A. Entries must be in proper form with proper payment at time of entry. If the entry is not paid or scheduled for payment, the presentation date and time will not be assigned thus quota will not be assigned.

## IV. REPORTING QUOTA-CLASS MERCHANDISE

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### TIME FRAMES FOR REPORTING QUOTA

Quota-class entries must be processed and reported to HQ Quota via ACE. For entry summaries electronically submitted via ACE by the trade, ACE will time stamp the submission for first come first serve quota priority. For non-ABI submissions to CBP, the port will clock the entry at point of receipt and use that time when inputting into ACE to establish quota priority.

### QUOTA HOLDS

Depending on the commodity, ACE may place a “hold” on a quota, meaning that the system will not decrement the quota until HQ Quota takes further action. Quota holds happen routinely and for various reasons, including when a quota is nearing its limit, when HQ Quota expects a quota to fill as soon as it opens, and when HQ Quota requires document verification to establish eligibility for the in-quota (low) duty rate or laboratory analysis results to finalize the quota quantities (e.g., sugar). Following quota input, ACE generates a status message indicating that the quota is on hold.

CBP may not release a live quota entry (entry/entry summary) until HQ Quota removes the hold. When processing a **multiple line** non-ABI entry/entry summary with one or more lines that go on hold, it is still necessary to input all of the lines on the entry.

If quota lines have been deleted, the ACE system contains searchable history including a remarks field to determine the reason for the deletion. Quota lines are only deleted by HQ Quota.

### QUOTA THRESHOLD

Quota thresholds are manually set by HQ Quota. The threshold in ACE is typically 95% of the restraint limit for TRQ and 85% for absolute quota.

Once the Quota ID (QID) meets or exceeds the threshold percentage the Quota Status is changed from open to potentially filled (POTF). Once given the POTF status, ACE will automatically send the filer of any further entries against that specific QID a message indicating that the quota may be close to filling but will accept the entry summary if quota is available. Once the quota fills, ACE will automatically change the Quota Status from POTF to filled. Once a quota fills, ACE automatically rejects any entry summary line(s) presented after the quota has filled.

ACE will automatically prorate the goods when a TRQ or TPL quota fills after which the following options are available to the filer for the over quota quantity:

- The filer can pay the high duty rate (this option is only available for the tariff rate quota and tariff preference level quota and is not available for absolute quota merchandise);

- Export or destroy excess goods under Customs supervision;
- Admit excess goods into a FTZ or into a Customs Bonded warehouse.

## OVERFILLING A QUOTA

It is crucial that quota be reported properly and timely to ensure accurate information and uniform treatment for all importers. A **quota overfill** occurs when the amount of quota entered exceeds the restraint limit for that period. The entry that overfills the quota will be prorated ensuring the overage can't access the quota.

## OVERSUBSCRIBED QUOTA/OPENING MOMENT

A quota “**oversubscribes**” when the demand is greater than the quota limit, i.e., the total quantity presented at opening by all importers is greater than the amount of quota available. When HQ Quota expects a quota to oversubscribe (based on the previous year's history), HQ Quota issues instructions to all CBP field personnel, as well as other interested parties such as importers and brokers, outlining opening moment procedures [[19 CFR 132.12](#)]. HQ Quota posts these instructions via a QB on the CBP.gov website and issues a CSMS message.

Entry summaries and warehouse withdrawals for consumption are entered into ACE by the filer. Filers may submit opening moment quota entries as early as 12:00 midnight local port time on opening day. However, submission of the quota entry before opening at midnight will not accord the merchandise quota priority or status. All opening moment quota entries submitted between midnight and by opening moment shall be considered to have been presented simultaneously [[19 CFR 132.12](#)].

On the rare occasion where an entry is a non-ABI, it may be submitted to the CBP port office where the cargo is located prior to the opening of the quota. The port is responsible for manually processing the entry in ACE prior to opening moment for the entry to be considered for the opening. However, non-ABI entries presented prior to opening moment 12:00 noon ET should be input into ACE using the **opening moment 12:00 ET** as the date and time of presentation. For example, the entry can be made from 12:01 a.m. local port time to 12:00 p.m. ET.

Submission of these documents before midnight local time on opening day will not accord the merchandise quota priority or status [[19 CFR 132.12](#)].

When a quota is expected to oversubscribe, all quota lines remain on hold in ACE for a period of three to five days, until HQ Quota determines if the quota oversubscribed. In order to make this determination, HQ Quota reviews all the entry summary lines presented at opening to allow for accurate reporting.

In accordance with [[19 CFR 132.12\(c\)](#)], if the quota oversubscribes at opening, HQ Quota issues proration instructions (see below) to the field and other interested parties via CBP Internet site.

If the quota does not oversubscribe, HQ Quota accepts quota on all the entry summary lines presented for the opening and an updated QB is posted to the CBP Internet.

**It is critical that the trade reviews and carefully follows all instructions issued for quota openings, especially for opening moment quotas.** Incorrect processing results in inaccurate data, which delays proration calculations and the release of merchandise.

## **QUOTA PRORATIONS**

When a quota oversubscribes, HQ Quota must allocate the available quota among the entry summaries filed in proper form. This is called “proration.” The proration is expressed as a percentage, determined by dividing the quota limit by the total quantity presented. This ensures that each importer receives an equal share of the quota, relative to what they presented; however, an importer with multiple entries may not request more than the total quota allocation. For example, if the quota limit is 100,000 kg, then an importer’s total request (tally of all entries presented) cannot meet or exceed 100,000 kg.

The process for ACE Electronic Submissions submitted by the trade for opening moment quotas is as follows:

- Trade submits quota entry summary (ES) in ACE in proper form within the opening day timeframe. Entry Summaries submitted after 12:00 noon ET will not qualify for opening moment proration
- Entries submitted in proper form will be validated for date and time of presentation HQ Quota will have a minimum of three (3) days from opening day to review and to resolve anomalies
- After approx. 3 days, the trade will receive an ACE message with the prorated percentage message (Tuna is addressed separately within this document)

### **Notes:**

Any quota transfer allotment request must be authorized by HQ Quota. See Quota Transfer of Allotment on page 17 for additional details.

Filers who choose to pay quota entries via ACH statement are obligated to pay the original duty amount, even if the quota oversubscribes. CBP cannot refund duties on prorated quota until the statement has been paid.

## **PRORATED QUOTA AND EXPIRATION DATES**

When a quota fills, all entries in that same one-minute timeframe are prorated on all applicable lines based on the percentage of the remaining quota and the requested quota amount. The Entry Summary will automatically be placed in REJECTED status and will remain in REJECTED status in order for the filer to retransmit.

Port	Control Team	Allocated Date	Presentation Date/Time	Processing Status	ES Status	C/O	Allocated QTY (UOM)	Reserved QTY (UOM)	Trade Line	Trade Requested QTY (UOM)	Trade Reserved QTY (UOM)	Reservation Expiration Date QTY (UOM)
5301	085	02/15/2019	02/15/2019 08:30:00	Reserved	Rejected	ARGENTINA	0 KG	16,382.72 KG	005	39326.00	16382.71	03/04/2019
5301	085	02/15/2019	02/15/2019 08:30:00	Reserved	Rejected	ARGENTINA	0 KG	1,780.49 KG	004	4274.00	1780.48	03/04/2019
5301	085	02/15/2019	02/15/2019 08:30:00	Reserved	Rejected	ARGENTINA	0 KG	7,951.4 KG	003	19087.00	7951.39	03/04/2019

The filer will receive a UC message instructing the filer that quota was prorated, and the amount allowed.

```

123456789012345678901234567890123456789012345678901234567890123456789012345678901234567890123
L  A3910SV9      021519      UC
2  B  5301836UC                               N
3      021519                               B36                               B00065986
4  E4001Q02    QUOTA APPORTIONED      000002579500KG  000001074586KG
5  E4002Q02    QUOTA APPORTIONED      000002017300KG  000000840381KG
6  E4003Q02    QUOTA APPORTIONED      000001908700KG  000000795139KG
7  E4004Q02    QUOTA APPORTIONED      000000427400KG  000000178048KG
8  E4005Q02    QUOTA APPORTIONED      000003932600KG  000001638271KG
9  Y  5301836UC00006
0  Z3910SV9      021519
L

```

The filer must resubmit the entry with the new allowed amounts on the same line as originally presented and on the same entry number. If decimals are involved, DO NOT round up; whole number only. The Quota reserve expires in 5 days. Therefore, this transaction MUST be completed prior to 4:30 pm on the expiration date.

Once quota expires, the quota allocated on the entry summary line(s) will be CANCELLED and that quota quantity will then become available for the next entry. If the filer cannot meet the resubmission requirement before 4:30 pm on the expiration date, the filer needs to contact HQ Quota **BEFORE** the date of expiration to request a possible extension. Once the quota expires, the lines are cancelled, and any subsequent re-transmittal or submission would be afforded priority and presentation date and status based on the date and time of the new submission.

ABSOLUTE QUOTA quantities in excess of the prorated amounts, **must** be admitted into a FTZ or Customs Bonded warehouse, or exported or destroyed under CBP supervision.

TPL or TRQ QUOTA quantities over the prorated amounts may be entered as type 01 consumption at the higher, non-quota rate of duty.

## QUOTA TRANSFER OF ALLOTMENT

A **transfer of allotment** is an option for importers who have filed entries at multiple ports that are affected by the proration. This allows the importer to take more quantity at one port and less at another, but not more than the total prorated quantity allowed for that importer. This is illustrated by the following example:

Quota Restraint limit – 1,000 kg

Total presented at opening – 2,000 kg

Proration – 50%

Originally filer XYZ asked for 1000 kg split between 2 Ports.

At 50% proration, that is 500kg total for the filer or 250kg at each Port.

The Filer then requested to transfer the 250kg allotment from one port (Laredo) to the other port (Miami).

The Miami shipment is then 500kg taken.

The Laredo shipment reverts to 0kg taken.

	<u>Presented/</u>	<u>Taken</u>
Entry 1 (Miami)	500 kg /	500 kg
Entry 2 (Laredo)	500 kg /	0 kg

HQ Quota must approve a transfer of allotment. To request a transfer of allotment, the importer must designate a **single point of contact** (usually a broker) in one location to coordinate the transfer of allotment on his/her behalf. The importer's designee must advise HQ Quota in writing within five working days after the proration announcement of the intent to transfer the allotment. CBP will not consider requests for transfer of allotment received after the fifth working day.

Only HQ Quota may approve transfer of allotment requests. (See [APPENDIX VII](#) of this handbook for the transfer of allotment request). For multiple-line entries, each line must be reported individually. The report should also include those entries or lines where the quantity to be taken is 0. The total quantity to be taken may not exceed the total prorated amount allowed for the importer.

HQ Quota will notify the filer of the decision to approve or disapprove a transfer request.

## SYSTEM DOWNTIME

Brokers input information into ACE. If ACE/ABI or the port has a technical issue it may be considered a “snow day.” See [APPENDIX IX](#) (“Snow Day”) of this handbook for further details. The broker is responsible for maintaining their system access.

## FREQUENTLY ASKED QUESTIONS (FAQs)

Please note: More detailed information may be found on these topics in the Quota Frequently Asked Questions document posted on CBP.gov at <https://www.cbp.gov/trade/quota/quota-faq>.

**Q. May an importer with multiple importer numbers transfer its quota allotment from one importer number to another when calculating their prorated amount?**

**A.** No. The prorated amount is calculated based on the total quantity presented for each unique importer number.

**Q. Is a transfer of allotment allowed between two importers?**

**A.** No. A transfer of allotment may only be used by one importer who has entries at more than one port location.

**Q. If an importer has numerous entries for a proration, must the importer take the proration equally on each entry?**

**A.** No. An importer may take any amount (including none) on a line or entry, as long as the aggregate quantity taken does not exceed the total pro-rata amount allowed for that importer.

**Q. What should be done if ACE indicates “potentially filled” following quota input?**

**A.** There is no action necessary. ACE will automatically process the quota.

**Q. What are the importer’s options when an absolute quota is filled?**

**A.** The importer may hold merchandise for the next quota period by admitting into a FTZ or a Customs Bonded warehouse; or export or destroy the merchandise under CBP supervision. [[19 CFR 132.5\(a\)](#)]

**Q. What are the importer’s options when the in-quota (low) duty rate for a tariff-rate quota is filled?**

**A.** If the shipment has not been released prior to the in-quota rate filling, the importer may hold merchandise for the opening of the next quota period by admitting into a FTZ or a Customs Bonded warehouse; export or destroy the merchandise under CBP supervision; or pay the over-quota (high) duty rate. [[19 CFR 132.5\(b\)](#)]

If the merchandise has been released under ID procedures after the in-quota rate is filled, the importer must submit an entry summary and pay the over-quota (high) rate of duty. The merchandise shall not be entitled to the quota rate of duty. The entry should be submitted as entry type 01 (consumption). [[19 CFR 142.21\(e\)\(1\)](#)]



## V. CERTIFICATES

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### OVERVIEW

Textile products are grouped under three-digit category numbers. These category designations are associated with an 8-digit HTSUS statistical reporting number. For a list of categories and descriptions, *see* [APPENDIX VIII](#) of this handbook. The category system was developed to simplify the monitoring and control of textile imports and to facilitate the negotiation of bilateral agreements. These breakouts were made to protect specific segments of the domestic industry. The textile categories, however, do not apply to visas issued for the African Growth and Opportunity Act (AGOA).

### CERTIFICATES

Certain TRQ and TPL merchandise require an endorsement by the exporting country which indicates that the shipment is authorized for export to the United States. Depending on the commodity, the requirement is in the form of an export certificate, certificate of eligibility, or certificate of origin. The certificate qualifies the merchandise for in-quota treatment, as long as the entry summary is presented properly, and quota is available. This documentation may be presented in paper form or electronically transmitted. Entries of this type of merchandise must be processed and the Certificate of Quota Eligibility (CQE) number reported in the “NOTES” dropdown or “REMARKS” field of the ACE Entry Summary Module.

### ELECTRONIC SYSTEM (eCERT)

Originally there were two programs, electronic visa system (ELVIS) and the electronic certificate system (eCERT). ELVIS was absorbed into eCERT and visas are now handled within the singular eCERT system. The eCERT program uses electronic data transmissions of information normally associated with a required export document, such as certificates, licenses, and textile visas.

Certificate information is not required for release of the merchandise for tariff-rate quotas and tariff preference levels. However, claims for a preferential duty rate will not be considered unless the information transmitted by the filer matches the information transmitted by the foreign government.

The Electronic Certification System (eCERT) is used for goods related to a tariff rate or tariff preference quota. eCERT provides several benefits, including:

- Security – eCERT data move electronically between government systems. Safeguards are in place to protect the integrity and confidentiality of the information.
- Reduced fraud – There is less opportunity for counterfeit paper documents to be used because the information provided by the importer/broker must match the information

transmitted by the foreign government. Paper documents are more susceptible to tampering.

- Improved compliance – Data discrepancies are decreased because the importer/broker's entry data must match the foreign government's export information. Both governments maintain control over the transmissions and data.
- Improved monitoring – Statistical reporting and tracking of certificates/licenses is enhanced. eCERT allows the participating governments to monitor document utilization via electronic reports they can request as frequently as necessary.
- Timeless processing – eCERT participants are authorized to transmit an electronic request or register a document at any time, seven days a week, 24 hours a day.

When making entry, specific data elements transmitted to CBP by the filer must match data from the foreign country before any applicable quota is reported and the shipment is released. These include:

- A unique certificate number;
- The date of certificate issuance;
- HTSUS classification number;
- The quantity;
- The unit of measure; and
- The manufacturer identification (name and address).

## GENERAL VISA INFORMATION

### **Q. Do all commercial textile shipments require a visa?**

**A.** No, only if a negotiated bilateral visa arrangement requires a visa for that article or a unilateral agreement requires a visa in order to be eligible for preferential duty treatment.

### **Q. May one line on the [CBP Form 7501](#) include more than one visa?**

**A.** No. Only one visa number may apply to a single line. However, the same visa number may be used on multiple lines if the total visa quantity is not exceeded.

### **Q. May a visa be used for more than one shipment?**

**A.** Generally, no. However, if a shipment of quota-class merchandise is split or divided by the carrier or freight forwarder without the knowledge or beyond the control of the importer, exporter, or manufacturer, then the importer may file a separate entry summary for each shipment. The filer should include the original visa with the documentation for the initial shipment and use a CBP certified copy for subsequent shipments. If the shipment is split because of an action taken by the importer, exporter, or manufacturer, then a separate visa is required for each shipment. Generally, importers should contact the Centers of Excellence and Expertise (Centers) for any specific local procedures. In the case where an importer is filing on paper, they should contact their local port.

**Q. Is the visa number required on the [CBP Form 7501](#)?**

A. Pursuant to the [CBP Form 7501](#) instructions, the visa number must be reported in column 33 on the [CBP Form 7501](#) / ACE equivalent (*see [CATAIR link on CBP.gov](#)*) for shipments that require a visa or export license. The visa number must be shown for each line item for which a visa is being submitted. ACE will reject the entry summary back to the filer if this number is not reported.

**Q. Does a sale-in-transit impact the visa?**

A. If there is a sale in transit, a letter is required as proof of the sale.

**Q. May a visa be changed or altered?**

A. No. Any changes or alterations made to information contained on the visa stamp render the visa invalid and unacceptable.

**Q. May CBP return a visa to the filer if the visa is invalid?**

A. No. If an entry summary has been rejected to the filer because the visa is invalid, CBP should not return the visa. A certified copy of the original may be given to the filer upon request. If CBP rejects the entry summary for an issue not related to the visa, then the original visa may accompany the entry back to the filer.

**Q. What are the guidelines on rounding for visa purposes?**

A. Quantities of less than half a unit should be rounded down; quantities of one-half or more should be rounded up. For example:

- If the invoice quantity is 10 ½ dozen (126 pieces), the reporting quantity should be 11 dozen;
- If the invoice quantity is 125 pieces, the reporting quantity should be 10 dozen;
- If the invoice quantity is 65 ½ kg, the reported quantity should be 66 kg; if 65.4 kg, reporting quantity is 65 kg; etc.

**Q. What if the quantity exceeds the visa amount because of rounding?**

A. Overages due to rounding can be accepted by HQ Quota. Port personnel should call HQ Quota when this happens.

**Q. Is a visa acceptable if the issue date is after the shipment's export date?**

A. Yes. There are times when a visa may be issued after the date of export. There is no requirement that the visa issue date must be the same as or prior to the date of export, but the visa must represent the quota year being allocated.

## **PERSONAL USE SHIPMENTS**

**Q. What are personal use shipments?**

A. Personal use shipments are not specifically defined in the HTSUS or the regulations. However, they are discussed in chapter 98, subchapters IV, V, VI, VII, and XVI of the HTSUS. Personal use shipments must be for the personal or household use of an individual importer

(including gifts) and not intended for resale or sale on commission. Generally, if the importer of record is a company, the shipment (including gifts) will be considered a commercial shipment.

**Q. Are personal use shipments subject to quota or visa requirements?**

A. No. Merchandise imported for the personal use of the importer and not for resale, regardless of value, whether or not accompanying the traveler, is exempt from quota and visa requirements.

## **SPECIAL EXEMPTIONS**

**Q. Is merchandise that has been exported from the United States and returned as undeliverable to the foreign consignee subject to quota/visa requirements?**

A. No, as long as the shipment meets the following criteria:

- The articles exported from the United States were returned within 45 days after exportation; and
- The articles have left the custody of the carrier or foreign customs service and are being returned to the United States for the reason that they were undeliverable to the foreign consignee [[19 CFR 141.4\(c\)](#); see also [HTSUS general note 19\(e\)](#) “Exemptions”]

## **ACE VISA QUERIES**

**Q. May an ABI filer query visa usage?**

A. eCERT filers/importers can check certification/visa usage in ACE.

**Q. How does a filer know if a VISA is required in order to receive preferential duty on an HTSUS number?**

A. The filer can check the current HTSUS for current trade agreements, submission requirements, and duty rates.

## VI. SPECIAL REPORTING

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### TEMPORARY IMPORTATION UNDER BOND (TIB)

CBP considers TIB entries, covered by chapter 98, subchapter XIII, HTSUS, to be consumption entries for quota/visa administration purposes. This is to prevent quota circumvention. Quota must be reported on quota-class merchandise entered under a TIB (entry type 23). As with regular quota entries, required documents must be presented and kept with the TIB entry. For quota-class merchandise, CBP should not delete quota, whether or not the bond conditions have been met. [[Customs Directive 3230-039A](#) (Aug. 31, 2001)]

For quota-class merchandise, the bond liability amount is generally equal to double the duties, including fees, or a larger amount if the port director deems necessary. [19 CFR 10.31\(f\)](#) sets forth a list of exceptions that require a bond amount for 110% of the duty, including fees, determined at the time of entry.

### ATA CARNET

Carnets should be treated the same as a TIB for purposes of administering quota/visa. If an absolute quota is filled, the merchandise is not admissible under a Carnet. Quota applies at the time of initial importation and on each subsequent re-importation. [[19 CFR 114.31\(b\)](#); [HQ 225785 \(Aug. 11, 1995\)](#)]

Carnets do not have an entry number. Therefore, in order to process the quota, a port-assigned entry number should be used with entry type 23 ([CBP Form 4455](#) Certificate of Carnet Registration). A CBP-assigned importer of record number may be used if needed.

### FOREIGN TRADE ZONE (FTZ)

When quota-class merchandise is transferred from an FTZ into the Customs territory of the United States for consumption, it is subject to U.S. laws and regulations affecting imported merchandise. The FTZ Board (FTZB) has the authority to regulate the activity that may be conducted in an FTZ. The FTZB may prohibit operations that circumvent the laws administered by any department of government. Certain manufacturing restrictions exist for textiles and food products admitted into a zone. [*See Foreign-Trade Zones Manual, [Publication # 0000-0559A \(2011\)](#)*]

Warehousing of textiles and textile products which would have been subject to quota or export license requirements in their condition at the time of importation (if entered for consumption rather than admitted to a zone), is permissible in an FTZ upon approval by the FTZ Board. Textiles and textile products may be transferred into the Customs territory for consumption, as long as the merchandise has not been subjected to a change by manipulation, manufacture, or

other means that would change the classification, the quota category, or the country of origin. [\[19 CFR 146.63\(d\)\]](#)

All FTZ consumption entries should be filed using entry type 06.

The zone lot number should appear in block 21 of the [CBP Form 7501](#).

Generally, goods subject to a TRQ and admitted into the zone in privileged foreign status must be classified at the higher, non-quota duty rate in effect on the date that privileged foreign status was granted. [\[19 CFR 146.65\(a\)\]](#)

Goods subject to a TRQ and admitted into the zone in non-privileged foreign (NPF) status may be eligible for the in-quota (low) tariff rate if the quota is open at time of transfer for consumption. If the quota is filled, entry must be made at the over-quota (high) duty rate.

## **BEEF**

[15 CFR 2012](#) covers the tariff-rate quota for beef from certain countries. In order to claim the in-quota duty rate for certain beef products, the importer must possess an export certificate at the time that such beef is entered or withdrawn from warehouse for consumption. The beef export certificate is not required for release of the merchandise. If an export certificate is not presented at the time of entry (type 01), the filer may later request to cancel the type 01 entry and resubmit the entry as a type 02 to qualify for the in-quota duty rate. [19 CFR 132.15](#) also addresses the beef export certificate requirement.

For a list of countries subject to the beef export certificate requirement, please refer to the QB published annually in December. The export certificate number must be listed in block 33 of the [CBP Form 7501](#).

## **SUGAR**

### **SUGAR CERTIFICATES OF QUOTA ELIGIBILITY**

ACE has been modified to allow the trade to submit the USDA sugar certificates electronically. When an entry summary is filed the HTSUS numbers will indicate if a USDA sugar certificate for low duty rate is required.

In the Automated Broker Interface, tariff numbers subject to the USDA sugar certificates will have a permit indicator of "21." The permit indicators for a tariff number are indicated in the tariff reference file identifier v2 (output, positions 75-76) record and the tariff query transaction w2 (output, positions 75-76) record.

The USDA sugar certificate will be a 9-position alpha/numeric data element. The USDA-issued sugar certificate for an ACE filed entry summary will be transmitted in the entry summary 52 record (input) in the miscellaneous permit/license number field.

The USDA sugar certificate will not be required when CAFTA tariff numbers 98220515 and 98220520 are claimed with an associated tariff number that has a permit indicator of '21'.

[The 2022 Sugar Quota Import Program Fact Sheet](#) is an excellent tool on how to make sugar entries.

## **RAW CANE SUGAR**

Raw cane sugar TRQs are allocated by country. Any country without a quantity allocation that is not subject to a United States embargo may enter raw cane sugar at the over-quota duty rate. Any entry made at the high duty rate is not a quota entry type. It is a type 01, general consumption entry type. An original certificate of quota eligibility (CQE), issued by the U.S. Department of Agriculture, is required for the in-quota duty rate. A CQE is not required for raw cane sugar entries submitted at the over-quota (high) duty rate. Shipments at the over-quota (high) duty rate are also subject to safeguard duties under HTSUS chapter 99, subchapter IV, unless exempted by the subchapter note.

To be deemed valid, a CQE must have the following information:

- CQE number;
- Current quota period;
- Quantity;
- Name of shipper; and
- Signature or stamp by a certifying official

Raw sugar shipments must be sampled according to [Customs Directive 3820-001B](#), dated May 1, 2007. This directive requires CBP to sample one bag (minimum 1 pound) out of each 2,100,000 pounds contained in the shipment for analysis by the CBP Laboratory to determine the correct degrees of polarity (purity). All raw sugar shipments must be sampled, regardless of shipment size. Each country is assessed a different conversion factor depending on the country of origin.

After the CBP Laboratory completes the analysis, a report is sent to the Center that requested the analysis and HQ Quota. If a classification change is needed based on the lab results the Center will make the change.

## **REFINED AND SPECIALTY SUGARS**

The United States Trade Representative (USTR) determines quantity limits for refined and specialty sugar quotas. Normally there is one combined (global refined) opening that accepts both refined and specialty sugar. This specific global refined opening does not require a Sugar Certificate from USDA to qualify.

There are typically 5 specialty sugar openings per year with the USDA having discretion of adding additional openings. The global opening is managed on a first-come, first-serve basis for refined and specialty sugar with no CQE required.

The Canadian entries require a CQE.

## **TUNA**

The tuna TRQ opening moment occurs on the first working day of the calendar year. However, The National Marine Fisheries Service (NMFS) provides the FINAL tuna quota limit to CBP in April or May annually. As a result, HQ Quota announces the new quota period for tuna with a preliminary estimated quantitative limit provided by NMFS each December. The tuna TRQ has historically oversubscribed. To account for all these factors, HQ Quota has established the following process to handle tuna TRQ entries:

1. Filers to enter tuna in-quota claims using the over-quota (high duty) HTSUS number.
2. Tuna lines approved for Opening Moment can be released but must not be liquidated before the proration is determined.
3. HQ Quota announces NMFS final quantitative limit in late April or May via Federal Register Notice.
4. If the tuna TRQ oversubscribes, the entries are prorated.
5. The Office of Finance issues refunds on all prorated balances.

*Note: Tuna entries presented for the opening are often final warehouse withdrawals. If these entries deem liquidated prior to the proration announcement, the importer must file a protest to receive a refund of duties for the in-quota duty amount.*



## VII. CORRECTIONS AND DELETIONS

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### OVERVIEW

If a filer requests to cancel an entry summary that has quota on it, they must notify HQ Quota to cancel any existing quota lines prior to the entry summary cancellation. Once HQ Quota cancels the quota in the ACE Quota Module the filer shall coordinate with the port or Center to adjust or cancel the entry.

When the filer submits a new entry summary to capture missed quota (only allowable in the original quota period), a new date and time of presentation is established for the new entry summary. Information on post summary corrections (PSCs) is provided in Section IX Quota and Post Entry Claims.

When merchandise is refused entry due to the action of another government agency, such as FDA, HQ Quota must be advised to delete the quota if the importer can substantiate that the goods were destroyed, exported, or reclassified (where applicable, e.g., beef). If CBP cannot establish that the merchandise was exported, destroyed or reclassified, the quota should remain charged in ACE.

## VIII. SPECIAL QUOTA PROGRAMS

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### OVERVIEW

In the current environment, trade agreements and special trade programs designed to benefit the signatory partners have become increasingly prevalent. Each agreement or program has special requirements and provisions. Prior to the implementation of new programs, HQ Quota issues instructions to the field and trade outlining the specific details. This chapter contains the significant special trade programs currently in effect.

Most of the trade agreements and special trade programs contain tariff rate quotas for certain agricultural (non-textile) products and/or tariff preference levels (TPL) for textile products. As is the case with other TRQs, agricultural products entered under one of these programs may enter at the preferential duty rate until the limit is reached. Once the in-quota allocation is filled, goods should enter at the column one HTSUS duty rate, unless there is a separate HTSUS number for “over-quota.” The same applies for TPLs.

If goods subject to a TRQ are entered with the benefit of a free trade agreement (FTA) that provides for the merchandise processing fee (MPF) exemption, but the in-quota allocation is filled, the MPF exemption should be granted, even though the special program indicator (SPI) is not listed in the “Special” column of the HTSUS corresponding to the over-quota tariff item.

Claims on goods for which there is a quantitative limit should be filed as a quota-type entry, e.g., 02, 32, etc., and reported to the ACE Quota Module. Not all HTSUS numbers covered by trade agreements or special trade programs are subject to quota restraints. *See* the “[Free Trade Agreements](#)” section of [www.cbp.gov](http://www.cbp.gov) for further information about which commodities have quantitative limits. Products exported from a country participating in a trade agreement, but for which preferential tariff treatment is NOT claimed, are subject to the general column one duty rate and any applicable restrictions.

The [2022 Quota FTA Fact Sheet](#) is an excellent tool on how to claim special trade programs on entries.

### QUICK REFERENCE HTSUS NUMBERS FOR FTA/TRADE PREFERENCE PROGRAMS (Trade Agreements are organized by date of entry into force.)

AGOA	9819.11 9819.11.09 – group 4 9819.11.12 – group 5
Australia FTA	9913
CAFTA-DR, sugar	9822.05.20

CBTPA	9820 9820.11.09 – apparel TPL 9820.11.12 – t-shirts
Chile FTA	9911 9911.99.20 – TPL 9911.99.40 – TPL
Colombia TPA	9918.02
Haitian HOPE	9820.61.25 9820.61.30 9820.61.35 9820.62.05
Israel FTA	9908
Korea FTA	9822.07 9822.07
Morocco FTA	9912 9912.99.20 – TPL (expired) 9912.99.40 – TPL (expired)
NAFTA-CA NAFTA-MX	9999.00.50 – 56 (expired) 9999.00.60 – 64 (expired)
Peru PTPA	9822.06.10, 9822.06.15 9917.04.10 through 9917.04.69
USMCA	9823

## AFRICAN GROWTH AND OPPORTUNITY ACT (AGOA) PREFERENCE

The Trade and Development Act of 2000 (“the Act”), signed into law on May 18, 2000, authorized a new trade and investment policy for Sub-Saharan African countries. The Act authorizes the President to designate a Sub-Saharan African country as an eligible beneficiary country based on several requirements established under its provisions. The HTSUS was amended to add general note 16 (GN16) containing specific information regarding the US-AGOA. The Trade Act of 2002 modified some of these provisions.

For additional implementation and eligibility instructions, refer to 19 CFR 10.211 through 19 CFR 10.217, as well as [TBT-01-008, AGOA Implementation Instructions](#), dated January 30, 2001 and Textile Book Transmittals (TBTs) [TBTs-02-038, 04-022, 04-024, and 04-024-1](#) (amendments).

Textiles and textile apparel products from a designated beneficiary country that meet the import requirements of the AGOA will be granted preferential tariff treatment and may enter into the Customs territory of the United States free of duty and quantitative limitations (excluding tariff preference levels identified in the Act). See [chapter 98](#), subchapter XIX, U.S. notes 1 and 2(d), HTSUS, for a current listing of eligible AGOA countries and AGOA Lesser Developed Beneficiary Countries.

Apparel and certain textile products as provided for in subheading 9802.00.8042, HTSUS, and chapter 98, subchapter XIX, HTSUS. Apparel classified under subheadings 9819.11.09 (group 4) and 9819.11.12 (group 5 – see below for group details), HTSUS, is subject to tariff preference levels.

Merchandise eligible for preferential tariff treatment under AGOA must qualify for one of the nine groupings. For all groupings, a textile visa is required at the time of entry when making an AGOA claim. The first digit of the textile visa must match the grouping number, followed by the two-digit International Organization for Standardization (ISO) country code. Following is a list of grouping descriptions:

- 0 – Textile articles
- 1 – Apparel articles of U.S. yarn and fabric, cut in the U.S.
- 2 – U.S. yarn and fabric, cut in the U.S., further processed
- 3 – U.S. yarn, fabric, and thread, cut in Africa
- 4 – U.S. or African yarn, fabric made in Africa (TPL)
- 5 – Fabric, regardless of origin (TPL) for lesser developed countries
- 6 – Cashmere sweaters
- 7 – Merino wool sweaters
- 8 – Exception for yarns and fabrics in short supply
- 9 – Hand loomed, handmade and folklore articles; ethnic print fabric

When processing quota for AGOA entries, the following should appear on the [CBP Form 7501](#):

Visa number in block 33 of the [CBP Form 7501](#)

Subheadings 9819.11.09 (group 4) or 9819.11.12 (group 5), HTSUS Textile/Apparel uses the two HTSUS fields on [CBP Form 7501](#); the first HTSUS is the chapter 98 number and the second is the HTSUS classification.

There is no special program indicator required on AGOA claims for textiles.

Certain non-textile products may be eligible for AGOA benefits and subject to quota. The proper special program indicator (SPI) “D” must preface the HTSUS number on the entry summary documents. For quota purposes, there are no specific limits under AGOA. These goods are charged to the regular restraint levels that apply to the commodity.

Additional information on AGOA is posted on the [www.cbp.gov](http://www.cbp.gov) at: <https://www.cbp.gov/trade/priority-issues/trade-agreements/special-trade-legislation/african-growth-and-opportunity-act>

## FREQUENTLY ASKED QUESTIONS

**Q. Must the merchandise claiming AGOA preferential treatment be imported directly from the designated beneficiary country?**

A. The AGOA “imported directly” requirements for textiles [[19 CFR 10.213\(d\)](#)] and for non-textiles [[19 CFR 10.178a\(e\)\(4\)](#)] allow the goods to enter into the commerce of a third-country but only for sale other than at retail, only if the articles remained under the control of the customs authority of the intermediate country, as long as the importation results from the original commercial transaction between the importer and the producer (or the latter’s sales agent), and the goods were not subject to operations other than loading, unloading and other activities necessary to preserve the articles in good condition. [[19 CFR 10.175\(d\)](#)]

**Q. Do all textile articles qualify for AGOA TPLs?**

A. No, only textiles or textile apparel articles classified in [chapter 61 or 62, heading 6501, 6502, 6504, 6505.00. or subheading 6406.99, HTSUS](#).

**Q. Is a visa from the beneficiary Sub-Saharan country required at the time of entry?**

A. A valid original visa from the beneficiary Sub-Saharan country is required to make a **duty-free** claim. Entries may still be entered at normal duty rates without a visa. (See the [TBTs](#) specific to each country for appropriate visa arrangement information.)

**Q. What documentation is required for an AGOA claim?**

A. For all groupings, a textile visa is required when making an AGOA claim. The first letter of the textile visa must match the grouping number, e.g., 1BJ512345, in which “1” indicates grouping 1. The number is followed by the two-digit ISO code. In addition, the importer must possess a textile certificate of origin.

**Q. Must an AGOA textile certificate of origin be submitted at time of entry summary?**

**A.** No. The textile certificate of origin is not required to be submitted, however, an AGOA textile certificate of origin, completed by the exporter, must be in the possession of the importer and available to CBP if requested. [[19 CFR 10.216](#)]

**Q. For AGOA claims, can the original visa be stamped on duplicate copies of the invoice?**

**A.** No. Only the original commercial invoice can contain the circular visa stamped on the front in blue ink.

**Q. Do any of the preferential groupings have specific quantity limitations?**

**A.** Preferential groupings numbers 4 and 5 have specific quantity limitations.

**Q. Do all Sub-Saharan countries qualify for the AGOA program?**

**A.** No. Only the Sub-Saharan countries that have been authorized as eligible beneficiary countries by the President qualify for the AGOA program (*see* [CBP.gov website section on AGOA](#)). Further note, not all AGOA beneficiaries are eligible for apparel benefits.

## UNITED STATES – AUSTRALIA FREE TRADE AGREEMENT (US-AFTA or AUFTA)

[Presidential Proclamation 7857](#) , dated December 20, 2004, and published in the Federal Register on December 23, 2004, implements the U.S.-Australia Free Trade Agreement (US-AFTA) for goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2005. The HTSUS was amended to add [General Note 28 \(GN28\)](#) containing specific information regarding the US-AFTA and subchapter XIII to chapter 99, HTSUS.

For additional implementation and eligibility instructions, *see* the CBP.gov website page on the [U.S.-Australia Free Trade Agreement](#).

This trade agreement provides for preferential treatment of qualifying agricultural and non-textile products, textiles and textile apparel articles from Australia that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those noted in the US-AFTA.

Non-textile products as provided for in subheadings 9913.02.05 through 9913.24.05, HTSUS and [chapter 99, subchapter XIII, U.S. notes 3-19, HTSUS](#) (this range includes both in-quota and over-quota HTSUS numbers).

A valid export certificate is required to claim the in-quota rate for beef, cheese and dairy products ([chapter 99, subchapter XIII, U.S. notes 3 through 15, HTSUS](#)). The first number of the certificate must match the year of presentation, followed by the ISO code "AU," followed by a unique alpha/numeric combination. For example, a 2007 export certificate, i.e., 7AU12345B, must accompany merchandise entered in 2007. Currently Australia electronically transmits the dairy export certificate to CBP via eCERT.

Use “AU” as the primary special program indicator (SPI).

Textile/Apparel uses the two HTSUS fields on [CBP Form 7501](#); the first HTSUS field is chapter 98 or 99, HTSUS, number and the second is AU plus the HTSUS classification.

Cotton fiber as provided for in subheading 9913.52.05 through 9909.52.40, HTSUS and [chapter 99, subchapter XIII, U.S. note 20, HTSUS](#) (this range includes both in-quota and over-quota HTSUS numbers).

## FREQUENTLY ASKED QUESTIONS

### **Q. Must merchandise claiming US-AFTA preferential treatment be imported directly from the designated beneficiary country?**

A. The Australia FTA “imported directly” requirement allows the goods to enter into the commerce of a third country. However, it will lose originating status if it undergoes further production or any other operation outside the territories of the Parties, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of a Party. [[HTSUS general note 28\(c\)\(iii\)](#)].

**Q. Are there tariff preference levels (TPLs) for textile and textile apparel articles under the US-AFTA?**

**A. No.**



## UNITED STATES – CARIBBEAN BASIN TRADE PARTNERSHIP ACT (CBTPA)

[Presidential Proclamation 7351](#), dated October 2, 2000, was published in the Federal Register on October 4, 2000, and amended by the Trade Act of 2002. Effective October 2, 2000, this proclamation implements the U.S. – Caribbean Basin Trade Partnership Act. The HTSUS was amended to add [general note 17 \(GN17\)](#) containing specific information regarding the US-CBTPA. The preferential tariff treatment provided under the CBTPA will remain in effect through September 30, 2030.

See chapter 98, [subchapter XX, U.S. Note 1, HTSUS](#) for a current listing of eligible CBTPA countries. A list is also located on the Internet website:

For additional implementation and eligibility instructions, see [Textile Book Transmittals \(TBTs\)](#) on [www.cbp.gov](http://www.cbp.gov).

This trade legislation provides for the entry of specific textiles and textile apparel articles from designated countries in the Caribbean Basin, free of duty and free of any quantitative restrictions, limitations or consultation levels, except those noted in the Act, as well as other benefits to non-textile products.

TPL - CBTPA Knits - 9820.11.09/chapter 98 U.S. note 2b, HTSUS, Textiles Knits

Apparel articles (other than socks provided for in heading 6115 of the tariff schedule) knit to shape in such a country from yarns wholly formed in the United States; knitted or crocheted apparel articles (except t-shirts, other than underwear, classifiable in subheadings 6109.10.00 and 6109.90.10, HTSUS and described in subheading 9820.11.12, HTSUS) cut and wholly assembled in one or more such countries from fabrics formed in one or more such countries or from fabrics formed in one or more such countries and the United States, all the foregoing from yarns wholly formed in the United States (including fabrics not formed from yarns, if such fabrics are classifiable in heading 5602 or 5603 of the tariff schedule and are formed in one or more such countries) and subject to the provisions of U.S. note 2(b).

TPL - CBTPA T-Shirts - 9820.11.12/chapter 98 US note 2c, HTSUS Textiles T-Shirts, other than underwear, classifiable in subheadings 6109.10.00 and 6109.90.10, HTSUS, made in one or more such countries from fabric formed in one or more such countries from yarns wholly formed in the United States, subject to the provisions of U.S. note 2(c) to this subchapter.

T-shirts provided for in subheading 9820.11.12 and classified under the HTSUS numbers:

9820112	6109100012
9820112	6109100014
9820112	6109100040
9820112	6109100045
9820112	6109101007
9820112	6109101009
9820112	6109101050
9820112	6109101060

No visa is required for goods classified under these HTSUS combinations. The importer must possess a valid certificate of origin [[TBT-00-023, dated 10/20/2000](#)]. Use “R” as the primary special program indicator (SPI) for non-textile.

Textile/Apparel uses the two HTSUS fields on [CBP Form 7501](#); the first is the chapter 98 number and the second is the HTSUS classification. No SPI is required for apparel.

Non-textile products may be eligible for CBTPA benefits and subject to quota. In order for the importer to claim preferential duty treatment, the special program indicator “R” must be noted on the entry/entry summary documents. For quota purposes, there are no specific limits under CBTPA. These goods are charged to the regular restraint levels that apply to the commodity.

## FREQUENTLY ASKED QUESTIONS

**Q. Must merchandise claiming CBTPA preferential treatment be imported directly from the designated beneficiary country?**

A. Yes, a CBTPA good may not leave customs control nor undergo further production in a 3<sup>rd</sup> country, [[19 CFR 10.223](#)].

**Q. Do all textile articles qualify for CBTPA TPLs?**

A. No, only textiles or textile apparel articles classified in [chapter 61](#), [heading 6212](#), or [subheadings 6406.99](#) or [6509.90](#), HTSUS. TBT-00-023 states that “the merchandise must be an apparel article classifiable in HTSUS Chapters 61, or 62, or headings 6501, 6502, 6503, 6504, or subheading 6406.99 or 6505.90 or textile luggage classified in Chapter 42.”

**Q. Do all Caribbean Basin countries qualify for CBTPA preferential tariff treatment?**

A. No. Only the Caribbean Basin countries that have been authorized as eligible beneficiary countries by the President qualify for the CBTPA program (*see* website link above for a list of eligible beneficiary countries).

**Q. Which chapter 98, HTSUS numbers are subject to TPL reporting under the CBTPA?**

A. The qualifying merchandise must be entered under subheadings 9820.11.09 or 9820.11.12, HTSUS, along with the associated chapter 1-97 number.

**Q. Must a CBTPA textile certificate of origin be submitted at time of entry summary?**

A. No, but the importer must possess the certificate and make it available upon request to CBP at the time they make the claim. [[TBT-00-023](#) (October 20, 2000)]

## **UNITED STATES – CENTRAL AMERICA FREE TRADE AGREEMENT (CAFTA-DR)**

[Presidential Proclamation 7987](#), dated February 28, 2006, and published in the Federal Register on March 2, 2006, implemented the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) for goods entered or withdrawn from warehouse for consumption, on or after March 1, 2006. The HTSUS was amended to add general note 29 (GN29) containing specific information regarding the CAFTA-DR, and a new subchapter XV to chapter 99 to provide for temporary tariff-rate quotas (TRQs) and tariff preference levels (TPL). In addition, new provisions have been added to subchapter XXII to chapter 98.

[Presidential Proclamation 7987](#) also implemented the Agreement for the country of El Salvador, effective March 1, 2006.

[Presidential Proclamation 7996](#), dated March 31, 2006, implemented the Agreement for Honduras and Nicaragua for goods entered, or withdrawn from warehouse for consumption, on or after April 1, 2006.

[Presidential Proclamation 8034](#) dated June 30, 2006, implemented the Agreement for goods of Guatemala entered, or withdrawn from warehouse for consumption, on or after July 1, 2006.

[Presidential Proclamation 8111](#), dated February 28, 2007, implemented the Agreement for goods of the Dominican Republic, entered, or withdrawn from warehouse for consumption, on or after March 1, 2007.

[Presidential Proclamation 8331](#), dated December 23, 2008, implemented the Agreement for goods from Costa Rica, entered, or withdrawn from warehouse for consumption, on or after January 1, 2009.

### **CAFTA-DR COUNTRIES**

El Salvador (as of March 1, 2006)

Honduras (as of April 1, 2006)

Nicaragua (as of April 1, 2006)

Guatemala (as of July 1, 2006)

Dominican Republic (as of March 1, 2007)

Costa Rica (as of January 1, 2009)

U.S. – Dominican Republic Central America Free Trade Agreement  
Implementation information, dated April 26, 2006.

In regard to the CAFTA-DR, all tariff preference levels (TPLs) have expired as of December of 2018. However, there is Cumulation provision with Mexico, HTSUS general note 29 (d)(vii) and chapter 98 XXII, note 21, subheadings 9822.05.11 or 9822.05.13, HTSUS.

Cumulation applies to certain woven apparel of chapter 62, HTSUS, only. The provision requires that the apparel article be cut and assembled in the CAFTA-DR region and may use yarns and

fabric from Mexico. The provision is limited to 100 million square meter equivalent units (SMEs) of imported apparel of **chapter 62 only, annually**, with sub-limits for:

Cotton (**other than blue denim**) and man-made fiber, MMF, trousers and skirts are limited to **45 million SMEs, annually**.

Blue denim trousers and blue denim skirts are limited to **20 million SMEs annually**.

Wool garments (**certain wool fabrics only**) are limited to **1 million SMEs annually**.

Cumulation **does not apply to the Dominican Republic**.

Please note that wool apparel of certain fabrics is exempt from the quota limit and wool sublimit:

- The limit of subdivision (b) of this note shall not apply to the following goods made from wool fabric: men's and boys' and women's and girls' suits, trousers, suit-type jackets and blazers and vest and women's and girls' skirts, provided that such goods are not made of carded wool fabric or made from wool yarn having an average fiber diameter of not over 18.5 microns.

Exempt apparel is **not** made of carded wool, and **not** made of wool yarn having an average fiber diameter of 18.5 microns or less. Apparel made from finer wool fabrics (yarns with average fiber diameter of 18.5 microns or less) are subject to limit and wool sublimit. Limit and sublimit shared first-come, first-served by all CAFTA countries EXCEPT the **Dominican Republic** (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua).

#### **Instructions for filing a CAFTA-DR Cumulation Claim:**

- Use **subheading 9822.05.11, HTSUS** in First Tariff Field of the U.S. Entry Summary
  - Wool Garments that are exempt from limit should use **subheading 9822.05.13, HTSUS**
- Use 10-Digit Chapter 62 HTSUS Number in Second Tariff Field
- Affix Special Program Indicator of "P" in Front of Second Tariff Field
- Report Value and Quantity of the Goods with Second Tariff Field
- Require a Quota-Type Entry Code, 02

Cumulation apparel (subject to limit(s)) use SPI "P" with chapter 62, HTSUS, number *and* subheading 9822.05.11, HTSUS, on entry documents. (The first HTSUS field is the chapter 98 number and the second is "P" plus the HTSUS classification.) Cumulation does not expire.

The following non-textile products that remain subject to quotas:

**Sugar and sugar containing products as provided for in subheading 9822.05.20, chapter 98, subchapter XXII, U.S. note 25, HTSUS**

#### **FREQUENTLY ASKED QUESTIONS**

**Q. Must the merchandise covered by a CAFTA-DR claim be imported directly from the designated beneficiary country?**

A. Yes. It may not leave customs control in a third country. Nor may it undergo further production or other operations outside of the territories of the Parties, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of a Party. [[19 CFR 10.604](#)]

**Q. Must a CAFTA-DR certificate of origin be submitted at time of entry summary?**

A. No. However, the importer is responsible for retaining and submitting upon request by CBP supporting documentation regarding the good's eligibility for preferential treatment at the time the claim is made. The former requirement for a TPL from Nicaragua expired in 2018.

## UNITED STATES – CHILE FREE TRADE AGREEMENT (US-CFTA or CLFTA)

[Presidential Proclamation 7746](#) of December 30, 2003, was published in the Federal Register on December 31, 2003. Effective January 1, 2004, this proclamation implemented the U.S. – Chile Free Trade Agreement. The HTSUS was amended to add general note 26 (GN26) containing specific information regarding the US- CFTA. The preferential tariff treatment provided under the US-CFTA will remain in effect through December 31, 2014, for agricultural products and December 31, 2015, for textiles. With the twelfth annual tariff reductions taking effect on January 1, 2015, 100% of U.S. exports will enter Chile duty-free. The agreement does not expire.

For additional implementation and eligibility instructions, see [U.S. – Chile Free Trade Agreement](#) on the CBP.gov website.

This trade agreement provides for preferential treatment of qualifying agricultural and non-textile products, textiles and textile apparel articles from Chile that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those non-textile products as provided for in subheadings [9911.02.05 through 9911.74.10, chapter 99, subchapter XI, U.S. notes 3-18, HTSUS](#). As of January 1, 2015, goods of Chile are not subject to quota and Chapter 99, XI has been deleted.

[Cotton and man-made fiber fabric as provided for in subheading 9911.99.20, chapter 99, subchapter XI, U.S. note 22, HTSUS.](#)

[Cotton and man-made fiber apparel as provided for in subheading 9911.99.40, chapter 99, subchapter XI, U.S. note 23.](#)

No visa is required. However, the importer is responsible for retaining a certification statement and supporting documentation as to the good’s eligibility for preferential treatment. The importer must submit the documents upon CBP’s request.

For non-quota items, use “CL” as the primary special program indicator (SPI) in front of the HTSUS number on [CBP Form 7501](#).

Textile/Apparel uses the two HTSUS fields on [CBP Form 7501](#); the first HTSUS field is the 99 number and the second is the HTSUS classification plus the SPI “CL.”

## FREQUENTLY ASKED QUESTIONS

### **Q. Must the merchandise claiming US-CFTA preferential treatment be imported directly from the designated beneficiary country?**

**A.** The Chile FTA “imported directly” requirement allows the goods to enter into the commerce of a third country. However, it will lose originating status if it undergoes further production or any other operation outside the territories of the Parties, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of a Party. [[19 CFR 10.463](#)]

**Q. Do all textile and textile apparel articles qualify for US-CFTA TPLs?**

A. No, only cotton or man-made fiber textiles or textile apparel articles provided for in [Chapter 98, Subchapter XI, U.S. Note 22 or 23](#).

**Q. Which Chapter 98 HTSUS numbers are subject to TPL reporting under the US-CFTA agreement?**

A. Qualifying merchandise under HTSUS numbers 9822.02.02 or 9822.02.03, along with the associated Chapter 1-97 number.

**Q. Must a US-CFTA certificate of origin be submitted at time of entry summary?**

A. No. However, the importer is responsible for retaining and submitting, upon request by CBP, a certificate of origin or supporting documentation as to the good's eligibility for preferential treatment at the time the claim is made.

**Q. What certification is necessary for a US-CFTA TPL claim?**

A. A statement of eligibility is required whenever a TPL claim is made. The importer must submit a statement at the request of CBP, which certifies that the goods are eligible for the TPL.

## **HAITIAN HEMISPHERIC OPPORTUNITY THROUGH PARTNERSHIP ENCOURAGEMENT ACT (HAITIAN HOPE)**

Title V of the Tax Relief and Health Care Act of 2006, which was signed into law on December 20, 2006, amended the Caribbean Basin Economic Recovery Act [(CBERA, 19 U.S.C. 2701-2707)] and authorized the President to extend additional trade benefits to Haiti. On March 20, 2007, the President certified to Congress that Haiti was eligible for duty-free treatment on certain wiring sets and apparel. [General note 7 \(GN7\), HTSUS](#), contains specific information regarding CBERA. Trade preferences for Haiti were enhanced and extended by the Haitian Hemispheric Opportunity Through Partnership Encourage Act of 2008 (HOPE II) and the Haitian Economic Lift Program (HELP) of 2010. The preferential tariff treatment provided under Haitian HOPE will remain in effect through September 30, 2025.

For additional implementation and eligibility instructions, *see* [TBT-07-006, Implementation Information on the Haitian Hemispheric Opportunity through Partnership encouragement Act of 2006 for Certain Wiring Sets and Certain Apparel Products, dated March 20, 2007.](#)

Apparel articles provided for under HTSUS numbers 9820.61.25, 9820.6130, 9820.61.35, and 9820.6205, and classified under Chapters 61 and 62; headings 6501, 6502, 6503, and 6504; and subheadings 6406.99.15 and 6505.00.

Haiti HOPE claims must be accompanied by an electronic visa transmission via the eCERT system by the government of Haiti at the time of entry, or withdrawal from warehouse for consumption, into the customs territory of the United States. Merchandise eligible for preferential tariff treatment under HOPE must qualify for one of the nine groupings. The first digit of the textile visa must match the year of export from Haiti, followed by the two-digit International Organization for Standardization (ISO) country code, followed by either the number one or two (to indicate the country of export) – one for Haiti, two for the Dominican Republic, followed by a five-digit alpha-numeric sequence number.

Textile/Apparel uses the two HTSUS fields on [CBP Form 7501](#); the first HTSUS field is the heading 9820, HTSUS number and the second is the chapter HTSUS classification.



## **UNITED STATES – ISRAEL AGREEMENT ON TRADE IN AGRICULTURAL PRODUCTS (U.S. – IFTA or ILFTA)**

[Presidential Proclamation 7826](#) dated October 4, 2004, was published in the Federal Register on October 7, 2004. Effective January 1, 2004, this proclamation extended the 1966 U.S. – Israel Agreement on Trade in Agricultural Products. The HTSUS was amended to add general note 8 (GN8) containing specific information regarding the US- IFTA. The preferential tariff treatment provided under the agreement remain in effect through December 31 of the current year and is subject to extensions by FRN publication.

For additional implementation and eligibility instructions, *see* [U.S. Comprehensive Free Trade Agreements and Other Trade Agreements Page](#) on the CBP.gov website.

This trade agreement provides for preferential treatment of qualifying agricultural products from Israel that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those noted in the Act.

Non-textile products as provided for in HTSUS numbers 9908.04.01, 9908.04.03, 9908.04.05, 9908.12.01, and 9908.12.01, Chapter 99, Subchapter VIII, U.S. Notes 3-7.

Use “IL” as the primary special program indicator (SPI).

### **FREQUENTLY ASKED QUESTIONS**

**Q. Must the merchandise claiming U.S. – Israel Agreement preferential treatment be imported directly from the designated beneficiary country?**

**A.** Yes. Entry into the commerce of a 3rd country will preclude benefits under the Israel FTA. [HTSUS General Note 3(a)(v)(B)]

**Q. Which Chapter 99 agricultural products are subject to quota reporting under the U.S. – Israel Free Trade Area in Agricultural Products?**

**A.** Qualifying merchandise entered under HTSUS numbers 9908.04.01, 9908.04.03, 9908.04.05, 9908.12.01, and 9908.12.01, along with the associated Chapter 1-97 number, must be reported to quota.

## UNITED STATES – MOROCCO FREE TRADE AGREEMENT (US-MFTA or MAFTA)

[Presidential Proclamation 7971](#) dated December 22, 2005, was published in the Federal Register on December 27, 2005. Effective January 1, 2006, this proclamation implemented the U.S. – Morocco Free Trade Agreement. The HTSUS was amended to add general note 27 (GN27) containing specific information regarding the US- MFTA. The preferential tariff treatment provided under the US-MFTA will remain in effect through December 31, 2019, for non-textiles or December 31, 2020, for textiles. The agreement does not expire.

For additional implementation and eligibility instructions, *see* [Morocco Free Trade Agreement \(MAFTA\)](#) on the CBP web page.

This trade agreement provides for preferential treatment of qualifying agricultural and non-textile products, textiles and textile apparel articles from Morocco that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those noted in the Act.

Non-textile products as provided for in HTSUS numbers 9912.02.05 through 9912.52.40, Chapter 99, Subchapter XII, U.S. Notes 3-16 (this range includes both in-quota and over-quota HTSUS numbers).

Non-originating apparel as provided for in HTSUS number 9912.99.20, Chapter 99, Subchapter XII, U.S. Note 64.

Yarn and knit fabric containing cotton fibers from designated Sub-Saharan countries as provided for in HTSUS number 9912.99.40, Chapter 99, Subchapter XII, U.S. Note 65.

A statement of eligibility is required whenever a TPL claim is made. At the request of CBP the importer must submit a statement certifying and containing information demonstrating that the goods are eligible for the TPL. [[19 CFR 10.764](#)]. This provision is currently set to expire on December 31, 2020.

Use “MA” as the primary special program indicator (SPI).

Textile/Apparel uses the two HTSUS fields on [CBP Form 7501](#); the first HTSUS field is the 99 number and the second is the HTSUS classification plus the SPI “MA.”

## FREQUENTLY ASKED QUESTIONS

### **Q. Must merchandise claiming US-MFTA preferential treatment be imported directly from the designated beneficiary country?**

**A.** The Morocco FTA “imported directly” requirement allows the goods to enter into the commerce of a third country. However, it will lose originating status if it undergoes further production or any other operation outside the territories of the Parties, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of a Party. [19 CFR 10.777](#) includes an additional list of allowable operations.

**Q. Do all textile and textile apparel articles qualify for US-MFTA TPLs?**

**A.** No, the textile TPL covers cotton, wool, and man-made fiber apparel; and yarns for knit fabric using Sub-Saharan Africa Cotton fibers.

**Q. What chapter 99 HTSUS numbers are subject to TPL reporting under the US-MFTA?**

**A.** The qualifying merchandise must be entered under HTSUS number 9912.99.20 or 9912.99.40, along with the associated chapter 1-97 HTSUS number.

**Q. Which Chapter 99 agricultural products are subject to quota reporting under the U.S. - Morocco Free Trade Agreement in Agricultural Products?**

**A.** Qualifying merchandise entered under HTSUS number 9912.02.05 through 9912.52.40, along with the associated Chapter 1-97 HTSUS number, is subject.

**Q. Must a US-MFTA certificate of origin be submitted at time of entry summary?**

**A.** No. However, the importer is responsible for retaining and submitting, upon request by CBP, a certificate of origin or supporting documentation as to the good's eligibility for preferential treatment at the time the claim is made.

**Q. What certification is necessary for a US-MFTA TPL claim?**

**A.** A statement of eligibility is required whenever a TPL claim is made. At the time of entry, the importer must submit a statement certifying and containing information demonstrating that the goods are eligible for the TPL.

**NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)  
MEXICO AND CANADA TPLs**

This agreement expired on June 30, 2020, and is superseded by the **USMCA**.

## **UNITED STATES – OMAN FREE TRADE AGREEMENT (US-OFTA or OMFTA)**

[Presidential Proclamation 8332](#) of December 29, 2008, was published in the Federal Register on December 31, 2008. Effective January 1, 2009, this proclamation implemented the U.S. – Oman Free Trade Agreement. The HTSUS was amended to add general note 31 (GN31) containing specific information regarding the US- OFTA. The preferential tariff treatment provided under the US-OFTA will remain in effect through December 31, 2017, for agricultural products and December 31, 2018, for textiles. The TPL expires but the agreement does not.

For additional implementation and eligibility instructions, *see* [U.S. – Oman Free Trade Agreement](#) on the CBP web page.

This trade agreement provides for preferential treatment of qualifying agricultural and non-textile products, textiles and textile apparel articles from Oman that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those noted in the Act.

## UNITED STATES-PERU TRADE PROMOTION AGREEMENT (US-PTPA or PETPA)

[Presidential Proclamation 8341](#), dated January 16, 2009, and published in the Federal Register on January 22, 2009, implemented the U.S.-Peru Trade Promotion Agreement (PTPA) for goods entered, or withdrawn, from warehouse for consumption on or after February 1, 2009, and will remain in effect until December 31, 2024. The HTSUS was amended to add general note 32 (GN32) containing specific information regarding the US- PTPA.

This trade agreement provides for preferential treatment of qualifying agricultural and non-textile products from Peru that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those noted in the US-PTPA.

The PTPA agricultural quotas are covered by HTSUS numbers 9822.06.10, 9822.06.15, and 9917.04.10 through 9917.04.69.

No visa is required.

Use “PE” as the primary special program indicator (SPI).

For additional implementation and eligibility instructions, *see* the [Peru Trade Promotion Agreement \(PETPA\) Page](#) at the CBP web page.

### FREQUENTLY ASKED QUESTIONS

**Q. Must the merchandise claiming US-PTPA preferential treatment be imported directly from the designated beneficiary country?**

A. No, but a Peru TPA good may not leave customs control in a third country. Nor may it undergo further production or other operations outside of the territories of the Parties, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of a Party. [[19 CFR 10.925](#)]

**Q. Which Chapter 99 agricultural products are subject to quota reporting under the U.S. - Peru Free Trade Agreement in Agricultural Products?**

A. The PTPA agricultural quotas are covered by HTSUS numbers 9822.06.10, 9822.06.15, and 9917.04.10 through 9917.04.69, along with the associated Chapter 1-97 number.

**Q. Must a US-PTPA certification of origin be submitted at time of entry summary?**

A. No. However, the importer is responsible for retaining and submitting, upon request by CBP, a certification of origin or supporting documentation as to the good’s eligibility for preferential treatment at the time the claim is made. [[19 CFR 10.904](#)]

**Q. What certification is necessary for a US-PTPA TPL claim?**

A. A statement of eligibility will be deemed to have been made whenever a TPL claim is made. The importer must submit a statement at the time of entry, which certifies that the goods are eligible for the TPL. [[19 CFR 10.905\(a\)\(1\)](#)]

## UNITED STATES–KOREA FREE TRADE AGREEMENT (UKFTA or KORUS)

[Presidential Proclamation 8783](#), dated March 6, 2012, and published in the Federal Register on March 9, 2012, implements the U.S.-Korea Free Trade Agreement (UKFTA) for goods entered, or withdrawn from warehouse for consumption, on or after March 15, 2012. The Proclamation incorporated, by reference, Publication 4308 of the United States International Trade Commission (USITC). Annex I of Publication 4308 amends the HTSUS by adding a new General Note 33 (GN 33) containing specific information regarding the UKFTA and a new Subchapter XX to Chapter 99 to provide for temporary tariff rate quotas (TRQs) implemented by the UKFTA. In addition, new provisions have been added to Subchapter XXII to Chapter 98. Annex II of Publication 4308 amends the HTSUS to provide for immediate and staged tariff reductions.

The Agreement provides for the immediate or staged elimination of duties and barriers to bilateral trade in goods and services originating in the United States and/or Korea.

For additional implementation and eligibility instructions, *see* the [Korea Free Trade Agreement \(KORUS\) Page](#) at the CBP.gov website.

The list of HTSUS item numbers that are eligible for immediate duty-free treatment, as well as those subject to staged tariff rate reductions, can be found in Annex II of [USITC Publication 4308](#) (February 2012). Dutiable tariff items eligible for a UKFTA claim indicate “KR” in the Special column of the HTSUS. UKFTA preference may also be claimed on unconditionally free tariff items, although “KR” will not be listed.

For UKFTA agricultural products subject to quantitative limits, the required 98 or 99 HTSUS number must precede the appropriate chapter 1-97 HTSUS number and be identified on the [CBP Form 7501](#). The UKFTA agricultural quotas are covered by HTSUS numbers 9822.07.10 through 9822.07.25.

### FREQUENTLY ASKED QUESTIONS

#### **Q. Must merchandise claiming UKFTA preferential treatment be directly imported from the designated beneficiary country?**

A. Goods that undergo further production outside the territory of the Republic of Korea or the United States, other than unloading, reloading or other processes to preserve the condition of the good or to transport the good to the territory of Korea or the United States, or goods that do not stay under customs control in the territory of a non-Party, will not be considered originating. [[19 CFR 10.1025](#)]

#### **Q. What documentation is required for UKFTA claims?**

A. The importer may make a claim for preferential tariff treatment based on a written or electronic certification issued by the exporter or producer, or based on the importer's knowledge, including a reasonable reliance on information in his possession. [[19 CFR 10.1003](#)]. The certification need not be in a prescribed format, may be submitted electronically, and may cover

a single importation or multiple importations of identical goods within a maximum 12-month period. [[19 CFR 10.1004](#)]. The certification may be submitted in English or Korean. If submitted in Korean, CBP may request an English translation. [[19 CFR 10.1004\(c\)](#)].



## **UNITED STATES - COLOMBIA TRADE PROMOTION AGREEMENT (CTPA or COTPA)**

[Presidential Proclamation 8818](#) implemented the United States – Colombia Trade Promotion Agreement (CTPA) on May 14, 2012, for goods entered, or withdrawn from warehouse for consumption, on or after May 15, 2012. The Proclamation incorporated, by reference, Publication 4320 of the United States International Trade Commission (USITC). Annex I of Publication 4320 amends the HTSUS by adding a new General Note 34 (GN 34) containing specific information regarding the CTPA and a new Subchapter XVIII to Chapter 99 to provide for temporary tariff rate quotas (TRQs) implemented by the CTPA. In addition, new provisions have been added to Subchapter XXII to Chapter 98. Annex II of Publication 4320 amends the HTSUS to provide for immediate and staged tariff reductions.

The Agreement provides for the immediate or staged elimination of duties and barriers to bilateral trade in goods and services originating in the United States and/or Colombia. Upon implementation of the CTPA, goods of Colombia will immediately lose benefits under the Generalized System of Preferences (GSP), the Andean Trade Promotion Act (ATPA) and the Andean Trade Promotion and Drug Eradication Act (ATPDEA) programs.

For additional implementation and eligibility instructions, *see* the [Colombia Trade Promotion Agreement \(COTPA\) Page](#) on the CBP website.

The list of HTSUS tariff lines that are eligible for immediate duty-free treatment, as well as those subject to staged tariff rate reductions, can be found in [Subchapter 18 of Chapter 99 of the HTSUS](#). Dutiable tariff lines that are eligible for a CTPA claim indicate “CO” in the Special column of the HTSUS.

For CTPA agricultural products subject to quantitative limits, the required 98 or 99 HTSUS number and the appropriate chapter 1-97 HTSUS number must be identified on the [CBP Form 7501](#). The CTPA agricultural quotas are covered by HTSUS numbers 9918.02.01, 9918.04.01, 9918.04.04, 9918.04.50, 9918.04.60, 9918.21.10, and 9918.24.10

Textiles and apparel products may qualify as originating under CTPA if they meet the requirements as specified in the Agreement. The duty rates for these goods will be identified in the “special” column. For more specific information, refer to Annex I of [USITC Publication 4320](#) or GN 34 to the HTSUS. It should be noted that for apparel in Chapters 61 & 62 and made-up textile articles in Chapter 63 only the component that determines the essential character for classification must meet the tariff shift rules [GN 34(o), Chapter 61 (Rule 2), Chapter 62 (Rule 2), and Chapter 63 (Rule 1)].

The importer may make a claim for preferential tariff treatment based on a written or electronic certification issued by the exporter or producer, or based on the importer's knowledge, including a reasonable reliance on information in his possession. [[19 CFR 10.3003\(a\)](#)] The importer must submit, upon request by CBP, the certification and other information substantiating the preference claim. [[19 CFR 10.3004](#)] The importer is responsible for providing the substantiating documentation to CBP upon request, including that information provided to CBP directly by the exporter or producer. [[19 CFR 10.3004\(a\)\(3\)](#)]

A claim for preferential tariff treatment may be made at the time of entry summary by prefacing the HTSUS number of the applicable good on [CBP Form 7501](#) with the Special Program Indicator (SPI) "CO."

For additional information visit the [Colombia Trade Promotion Agreement \(COTPA\) Page](#) on the CBP website.

## FREQUENTLY ASKED QUESTIONS

### **Q. Must merchandise claiming US-CTPA preferential treatment be directly imported from the designated beneficiary country?**

A. Goods that undergo further production outside the territory of Colombia or the United States, other than unloading, reloading or other processes to preserve the condition of the good or to transport the good to the territory of Colombia or the United States, or goods that do not stay under customs control in the territory of a non-Party, will not be considered originating. [HTSUS General Note 34(c)(iii)]

### **Q. What documentation is required for US-CTPA claims?**

A. The importer may make a claim for preferential tariff treatment based on a written or electronic certification issued by the exporter or producer, or based on the importer's knowledge, including a reasonable reliance on information in his possession. The certification need not be in a prescribed format, may be submitted electronically, and may cover a single importation or multiple importations of identical goods within a maximum 12-month period. [[19 CFR 10.3004](#)]

## **UNITED STATES-PANAMA TRADE PROMOTION AGREEMENT (USPTPA or PATPA)**

U.S.- Panama Trade Promotion Agreement (USPTPA) Implementation Act (Pub. L. No. 112-43, 125 Stat. 497) was signed into law on October 21, 2011. The [USITC Publication 4349 \(Oct. 2012\)](#) states that the USPTPA is effective with respect to goods that are [HAB1] entered or withdrawn from warehouse for consumption, on or after October 31, 2012. The HTSUS was amended to add General Note 35 (GN35) containing specific information regarding the US-PANAMA TRADE Promotion Agreement, and a new subchapter XIX to chapter 99 [HAB2] to provide for temporary tariff-rate quotas (TRQs). In addition, new provisions have been added to subchapter XXII to chapter 98.

This trade agreement provides for preferential treatment of qualifying agricultural and non-textile products, textiles and textile apparel articles from Central American countries that may be entered duty free or at a reduced rate of duty and free of any quantitative restrictions except those noted in the US-Panama PTA.

Unless otherwise provided, HTSUS Chapter 99, Subchapter XIX, U.S. notes 1 through 7 and subheadings 9919.04.10 through 9919.61.12 of this Subchapter are effective as to such goods of Panama entered, under General Note 35 to the tariff schedule, through the close of December 31, 2028, and shall be deleted from the tariff schedule at the close of such date.

For the following provisions, the Rates of Duty 1 Special sub-column is modified by inserting in the parentheses following the “Free” rate in such sub-column the symbol “PA,” in alphabetical order:

Use “PA” As the primary special indicator (SPI).

For additional implementation and eligibility instructions, visit [Panama Trade Promotion Agreement \(PATPA\) Page](#) at the CBP.gov website.

### **FREQUENTLY ASKED QUESTIONS**

#### **Q. Must merchandise claiming US-Panama TPA preferential treatment be directly imported from the designated beneficiary country?**

A. Goods that undergo further production outside the territory of Panama or the United States, other than unloading, reloading or other processes to preserve the condition of the good or to transport the good to the territory of Korea or the United States or goods that do not stay under customs control in the territory of a non-Party, will not be considered originating. [GN 35(c)(iii)]

#### **Q. Must a US-PTPA certificate of origin be submitted at time of entry summary?**

A. No. The certificate need only be presented to CBP upon request. If the importer possesses records demonstrating that the good satisfies the requirements to remain originating under subdivision (c)(iii) of this note, the importer shall maintain such records for a minimum of five years from the date of importation of the good; shall make a written declaration that the good

qualifies as originating, under the terms of applicable regulations; and shall be prepared to submit, upon request by the appropriate CBP field personnel, a certification of origin demonstrating that the good qualifies as an originating good under the provisions of this note, including pertinent cost and manufacturing information and all other information requested by such CBP field personnel.

## UNITED STATES, MEXICO, CANADA TRADE AGREEMENT (USMCA)

USMCA entered into force on July 1, 2020, replacing the North American Free Trade Agreement (NAFTA), which expired on June 30, 2020. USMCA modernized the North American Free Trade Agreement (NAFTA) expanding upon agricultural product access, addressing labor conditions, digital trade, auto manufacturing, and dispute resolution.

On July 1, 2020, the *Federal Register* published Presidential [Proclamation 10053 of June 29, 2020, “To Take Certain Actions Under the United States-Mexico–Canada Agreement Implementation Act and for Other Purposes,”](#) which modified the HTSUS consistent with Annexes I, II, and III to [US International Trade Commission \(USITC\) Publication 5060, “Modifications to the Harmonized Tariff Schedule of the United States to Implement the United-States-Mexico Agreement.”](#) The HTSUS was modified to provide for the preferential tariff treatment under the USMCA; to set forth rules for determining whether goods imported into the customs territory of the United States are eligible for preferential tariff treatment under the USMCA; to provide tariff-rate quotas with respect to certain originating goods of Canada; and to provide certain other treatment to originating goods for purposes of the USMCA. The initial quota period was July 1, 2020, through December 31, 2020, after which the quota periods reverted to the standard calendar year. In addition, General note 11 (GN11), which addresses USMCA, was added to the HTSUS.

- **SPI - “S” is used only if the item is tariff free from both countries, then, no Chapter 98 applies.**

### RESTRAINT LEVELS:

- **Agriculture** products from Canada have quantitative limits for Dairy and Sugar. Please note below for information regarding these categories.
- **Please use SPI “S+” for ALL entries**

DESCRIPTION	HTSUS NUMBER 1 CA
Fluid cream, sour cream, ice cream and milk beverages.	9823.01.02
Skim milk powder.	9823.02.02
Butter, cream, and cream powder.	9823.03.02
Cheese	9823.04.02
Whole milk powder.	9823.05.02
Dried yogurt, sour cream, whey, and products of milk constituency.	9823.06.02
Concentrated milk.	9823.07.02
Other Dairy Products	9823.08.02

DESCRIPTION	HTSUS NUMBER 1 CA
Wholly obtained from sugar beets	9823.09.02
Refined Sugar Non-Originating (July 1 FRN)	9823.09.09
Sugar Containing Products July 1, 2020- Dec 31 2020	9823.10.02

**DESCRIPTION**

Refined Sugar (type 01 with Certificate)  
 Unlimited

**HTSUS NUMBER 1 MX**

9823.09.01

**Textiles**

Please use SPI "S+" for ALL entries

<b>TPL</b>	<b>DESCRIPTION</b>	<b>HTSUS NUMBER 1 CA</b>
TPL 01	Cotton or MMF apparel	9823.52.01
TPL 02	Wool apparel	9823.52.02
TPL 03	Mens' or boys' wool suits of category 443	9823.52.03
TPL 04	<b>Total TPL 5 &amp; 6</b>	9823.52.04
TPL 05	Cotton or MMF and made-up goods SUB Woven	9823.52.05
TPL 06	Cotton or MMF and made-up goods SUB Knit	9823.52.06
TPL 07	Non-originating cotton or MMF spun yarn SUB ACRYLIC	9823.52.07
TPL 08	Non-originating cotton or MMF spun yarn SUB Other Yarns	9823.52.08

<b>TPL</b>	<b>DESCRIPTION</b>	<b>HTSUS NUMBER 1 MX</b>
TPL 01	Cotton or MMF apparel	9823.53.01
TPL 02	Wool apparel	9823.53.02
TPL 03	<b>TOTAL TPL 4 &amp; 5</b>	9823.53.03
TPL 04	Cotton, MMF Fabric Made-Up Articles	9823.53.04
TPL 05	Cotton & MMF Fabric and Made-Up Articles	9823.53.05
TPL 06	Cotton & MMF Spun Yarns	9823.53.06

## PRESIDENTIAL PROCLAMATION PROGRAMS

### General Quarterly Steel Programs

On May 31, 2018, the President issued Presidential Proclamation 9711 under Section 232 of the Trade Expansion Act of 1962 (Section 232) providing for an absolute quota for imports of steel mill articles from Argentina, Brazil and South Korea, effective for goods entered on or after June 1, 2018.

On December 27, 2021, the President issued Proclamation 10328 under Section 232 providing a tariff rate quota for imports of steel mill articles from European Union (EU) Member Countries effective for goods entered on or after January 1, 2022. Steel imports from EU Member Countries must be melted and poured in the EU to be eligible for the EU TRQ.

On March 31, 2022, the President issued Proclamations 10356 and 10406 under Section 232 providing a tariff rate quota for imports of steel mill articles from Japan and the United Kingdom (UK), effective for goods entered on or after April 1, 2022, for Japan and on or after June 1, 2022, for the UK. Steel imports from Japan must be melted and poured in Japan to be eligible for the Japan TRQ. Steel imports from the UK and the specified eligible countries must be melted and poured in the UK to be eligible for the UK TRQ.

Each proclamation is referenced within the section specific to that program.

The documents referenced below provide guidance that apply to all steel programs.

[Presidential Proclamation 9776](#) of August 29, 2018, provided for relief from Section 232 aluminum limitations on an individual basis via a Department of Commerce issued exclusion.

[Presidential Proclamation 9777](#) of August 29, 2018, provided for relief from Section 232 steel limitations on an individual basis via a Department of Commerce issued exclusion.

Department of Commerce Bureau of Industry and Security Interim Final Rule [2019-12254](#): “Implementation of New Commerce Section 232 Exclusions Portal” changed the process for requesting exclusions from the duties and quantitative limitations on imports of aluminum and steel discussed in two Commerce interim final rules implementing the exclusion process.

Department of Commerce Bureau of Industry and Security Interim Final Rules: “Section 232 Steel and Aluminum Tariff Exclusions Process:”

- [2020-27110](#) established General Approved Exclusions (GAEs) for specific HTSUS numbers
- [2021-26634](#) removes 26 GAEs from the steel and 4 GAEs from the aluminum list

## **General Quota Guidelines**

All entries submitted prior to 8:30 am ET and on opening day will be counted in the first opening at 8:30 am ET. Entries submitted prior to midnight local port time on opening day will not be counted towards the opening. If the totals exceed the limit all accepted entries within the first opening will be prorated.

- First quarter quota period is from January 1, through March 31.
- Second quarter quota period is from April 1 through June 30.
- Third quarter quota period is from July 1 through September 30.
- Fourth quarter quota period is from October 1 through December 31.

## **Absolute Steel and Aluminum Proclamations and Guidelines**

[Presidential Proclamation 9704](#) of March 8, 2018, provided for Section 232 tariffs on imported aluminum articles, except from Canada and Mexico.

[Presidential Proclamation 9711](#) of March 22, 2018, exempted Republic of South Korea, Brazil, Argentina, Mexico, and Canada from those tariffs. This proclamation established the absolute quota program for South Korea, Brazil, and Argentina.

[Presidential Proclamation 9740](#) of April 30, 2018, provided for Section 232 absolute annual aggregate limits on imports of steel products from the Republic of South Korea.

[Presidential Proclamation 9759](#) of May 31, 2018, advised that absolute steel quarterly limits in excess of 500,000 kg and 30 percent of the total annual limit by country shall not be allowed.

Countries covered are Argentina, Brazil, and South Korea.

Quota eligible / combination entries: Filers must use an appropriate 9903.80.05 through 9903.80.58 quota HTSUS number for the first HTSUS number, followed by the Chapter 72/Chapter 73 classification HTSUS number of their goods as the next HTSUS number.

Individual Exclusions and General Approved Exclusion (GAE) HTSUS entries can be combined on a quota entry using HTSUS number 9903.80.60. Filers with an individual exclusion must include their Product Exclusion ID number on the entry. GAE entries do not require additional data fields. Individual exclusion entries are limited by the dates and volume listed in the DOC information provided to the importer. There are no limits on GAE quantities. Absolute Steel exclusions count toward annual limits.

[See CBP's Quota Bulletins web page for additional information.](#)



## **General Steel and Aluminum TRQ Guidance**

USTR has negotiated individual TRQs with the European Union, Japan and the United Kingdom with requirements that goods imported into these programs be melted and poured in the corresponding countries.

Steel TRQs have annual limits with quarterly periods. Each quarter is based on 25% of the annual limit. Up to 4% of a specific unused quarterly limit can be carried forward into a future specific quarter.

Aluminum TRQs have annual limits with biannual periods. For the EU the first period represents 60% of the limit and the second period represents 40% of the limit, for the UK both biannual period limits are 50% of the annual limit. There is no unused carry forward feature.

[See CBP's Quota Bulletin web page for additional information.](#)

## **European Union Steel Proclamation and Guidance**

[Presidential Proclamation 10328](#) of December 27, 2021, established a TRQ for member countries of the European Union on Section 232 Steel commodities. Within the EU steel program exclusion do not count against the limit.

Quota eligible / combination entries: Filers must use an appropriate 9903.80.65 through 9903.81.19 quota HTSUS number for the first HTSUS number, followed by the Chapter 72/Chapter 73 classification HTSUS number of their goods as the next HTSUS number.

Over-quota entries must file using HTSUS number 9903.80.01 for additional duties under section 232.

Individual Exclusions and General Approved Exclusion (GAE) HTSUS entries can be combined on a quota entry or can be entered separately a non-quota entry type. Filers with an individual exclusion must include their Product Exclusion ID number on the entry. GAE entries do not require additional data fields. Individual exclusion entries are limited by the dates and volume listed in the DOC information provided to the importer. There are no limits on GAE quantities. EU Steel exclusions do not count toward annual limits.

PROGRAM ORIGINATION: European Union Steel TRQ originated January 1, 2022.

[See CBP's Quota Bulletins web page for additional information.](#)

## **European Union Aluminum Proclamation and Guidance**

[Presidential Proclamation 10327](#) of December 27, 2021, established a TRQ for member countries of the European Union and provided for semi-annual limits on Section 232 Aluminum commodities.

Quota eligible entries: Filers must use an appropriate 9903.85.27 through 9903.85.44 quota HTSUS number for the first HTSUS number, followed by the Chapter 76 classification HTSUS number of their goods as the next HTSUS number.

Over-quota entries must file using HTSUS number 9903.85.01 for additional duties under section 232.

Individual Exclusions and General Approved Exclusion (GAE) HTSUS entries can be combined on a quota entry using 9903.85.25. Filers with an individual exclusion must include their Product Exclusion ID number on the entry. GAE entries do not require additional data fields. Individual exclusion entries are limited by the dates and volume listed in the DOC information provided to the importer. There are no limits on GAE quantities. EU count toward annual limits.

### **ALUMINUM QUOTA PERIODS:**

- Period 1: January 1 through June 30.
- Period 2: July 1 through December 31.

PROGRAM ORIGINATION: Period 1 European Union - January 1, 2022

[See CBP's Quota Bulletins web page for additional information.](#)

## **United Kingdom Aluminum Proclamation and Guidance**

[Presidential Proclamation 10405](#) of May 31, 2022, established a TRQ for the United Kingdom and provided for semi-annual limits on Section 232 Aluminum commodities.

Quota eligible entries: Filers must use an appropriate 9903.85.51 through 9903.85.66 quota HTSUS number for the first HTSUS number, followed by the Chapter 76 classification HTSUS number of their goods as the next HTSUS number.

Over-quota entries must file using 9903.85.01 for additional duties under section 232.

Individual Exclusions and General Approved Exclusion (GAE) HTSUS entries can be combined on a quota entry using 9903.85.50. Filers with an individual exclusion must include their Product Exclusion ID number on the entry. GAE entries do not require additional data fields. Individual exclusion entries are limited by the dates and volume listed in the Department of Commerce exclusion document provided to the importer. There are no limits on GAE quantities. UK Aluminum exclusions count toward annual limits.

ALUMINUM QUOTA PERIODS:

- Period 1: January 1 through June 30.
- Period 2: July 1 through December 31.

PROGRAM ORIGINATION: Period 1 United Kingdom - June 1, 2022.

- Effective 2023 the program begins on January 1.

[See CBP's Quota Bulletins web page for additional information.](#)

**United Kingdom and Japan Steel TRQ Proclamations and Guidance**

[Presidential Proclamation 10356](#) of March 31, 2022, established a steel TRQ for Japan and provided for quarterly limits on Section 232 steel commodities.

[Presidential Proclamation 10406](#) of May 31, 2022, established a steel TRQ for the United Kingdom and provided for quarterly limits on Section 232 steel commodities. This proclamation includes a special provision for specified EU countries of origin to import UK melt and pour steel.

Quota eligible / combination entries: Filers must use an appropriate 9903.81.25 through 9903.81.78 quota HTSUS number for the first HTSUS number, followed by the Chapter 72/Chapter 73 classification HTSUS number of their goods as the next HTSUS number.

Over-quota entries must file using HTSUS number 9903.80.01 for additional duties under section 232.

Individual Exclusions and General Approved Exclusion (GAE) HTSUS entries can be combined on a quota entry using 9903.81.80. Filers with an individual exclusion must include their Product Exclusion ID number on the entry. GAE entries do not require additional data fields. Individual exclusion entries are limited by the dates and volume listed in the DOC information provided to the importer. There are no limits on GAE quantities. UK and Japan Steel exclusions count toward limits.

The UK steel TRQ contains a provision allowing specified EU countries of origin to access thirteen UK melt and pour commodities within the UK program limits. Entries from specified EU countries of origin with UK melt and pour goods must use HTSUS number 9903.81.81 to access the UK limits.

PROGRAM ORIGINATION: Japan - April 1, 2022 and United Kingdom - June 1, 2022  
Periods Standardized for Quarter 3 Beginning July 1, 2022

- Effective 2023 both programs begin on January 1 with four quarters.

[See CBP's Quota Bulletins web page for additional information.](#)

## **Solar-cells-and-Modules Proclamations and Guidance**

[Presidential Proclamation 9693](#) of January 23, 2018, established Sec 203 Trade Remedy Tariffs on listed goods. The proclamation included a Tariff Rate Quota for Crystalline Silicon Photovoltaic (CSPV) cells in four annual periods beginning February 2028 through February 2022.

[Presidential Proclamation 10339](#) of February 4, 2022, extended the solar Trade Remedy Tariffs and the TRQ program for an additional 4 years. Tariff rates and quota limits were adjusted for the new period from February 2022 through February 2026.

The solar-cells-and-modules TRQ program covers CSPV Cells and Modules as specified in Presidential Proclamation 10339. This program is an annual quota from February 7 through February 6 of the following year.

The quota limitation for CSPV cells, is set at an annual aggregate quantity of 5.0 gigawatts.

In addition to reporting the Chapter 85 Harmonized Tariff Schedule (HTSUS) classification for the imported merchandise, importers shall report the following HTSUS classifications for imported merchandise subject to the quota:

HTSUS number 9903.45.21 In-Quota for 8541.42.00 CSPV cells (no additional duty from the Chapter 85 tariff rate).

HTSUS number 9903.45.22 Over Quota for cells (additional duty rate is on a graduated schedule per year).

Non-quota CSPV modules 8541.43.00 (additional duty) should use non-quota entry types. In addition to reporting the Chapter 85 Harmonized Tariff Schedule classification for the imported merchandise, importers shall report the following HTSUS classification for imported merchandise subject to the additional duty:

HTSUS number 9903.45.25 non-quota modules comprised of CSPV cells under 8541.43.00 (additional duty is on a graduated schedule per year).

[See CBP's Quota Bulletins web page for additional information.](#)

## IX. QUOTA AND POST-ENTRY SUMMARY CLAIMS

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### OVERVIEW

Requests for post-entry relief are most often used for quota purposes when a foreign government issues certificates, licenses, or other documents, to meet the requirements for a preferential duty claim under a free trade agreement, or when corrected information for an entry summary subject to a quota must be submitted. As permitted by statute or regulations, an importer may present a claim (i.e., a post-entry amendment with revised entry summary, protest, etc.) to CBP after the initial entry summary is filed as a retroactive request for preferential duty treatment.

Importers may use various post-entry relief procedures for retroactive preference claims and quota reporting (i.e., Post Summary Correction (PSC), [19 USC 1514 protest](#), 19 USC 1520(d) post-importation preference claims (i.e., 520(d) claims), provided that the quota has not filled for the applicable quota period and liquidation has not occurred).

A PSC may not be used to change a non-quota entry type to a quota entry type. In cases where a non-quota entry type needs to be changed to a quota entry, the entry must be cancelled, and a new entry provided. Entries are eligible for quota status in the original quota period in which they are filed. Replacement entries made after the close of the original quota period may not access previous period quota. [\[19 C.F.R 132.1, 132.11\(a\) 132.13 \(b\)\]](#)

Importers and brokers are responsible for ensuring that all quota-class merchandise is reported accurately and timely. All lines on the entry must be processed and quota accepted in the ACE quota module before any post-entry claim refunds are made.

A PSC may be used to submit a quota claim or correction only prior to liquidation of an entry that was originally filed as a type 02, 07, 32, or 38, such that quota was already claimed on the entry prior to the filing of the PSC. A PSC may not be used to add a quota claim to an entry after the original entry quota period has closed. If the entry is liquidated, a Protest (within 180 days of liquidation) or Prior Disclosure must be filed to submit the corrected or additional quota claim.

When a PSC is filed for an entry summary with quota lines, regardless of whether the PSC affects the quota lines, the entry summary presentation date will change, and the quota may be lost. To prevent an automatic change of quota presentation date and loss of quota, HQ Quota must be notified in advance of the PSC filing to reserve the quota and presentation date when appropriate.

The only case in which a PSC may be filed for an entry summary with quota lines (whether effected by the PSC or not) without needing HQ Quota intervention to maintain the quota lines, is when the PSC is filed within the original quota period, and where sufficient quota remains available in that quota period. Note that the quota period for absolute Steel and Aluminum is quarterly. The quota period for all other commodities is annual. The PSC process chart is included at the end of this chapter.

Prompt filing of a PSC by the trade is the preferred method for ensuring the quota re-allocation is

timely and the dates are in proper form in accordance with [19 CFR 132](#). Delayed quota claims or correction submissions may jeopardize the availability of quota. The filer must engage with the HQ Quota any other time there are quota lines on the Entry and a PSC is necessary.

## FREQUENTLY ASKED QUESTIONS

### **Q. What is the date and time of presentation for quota for a post summary correction?**

**A.** The date and time of submission of the post-summary claim establishes the date and time of quota presentation. Like any entry summary covering quota-class merchandise, the PSC presentation date and time is established by the electronic transmission in proper form.

### **Q. What is the time frame for submitting a PSC on a quota entry?**

**A.** The PSC must be transmitted within 300 days of the date of entry and 15 days prior to liquidation. For entry summary changes outside the specified window, the filer must wait until liquidation and file a protest, if eligible.

### **Q. What is the PSC process for Entries with quota lines?**

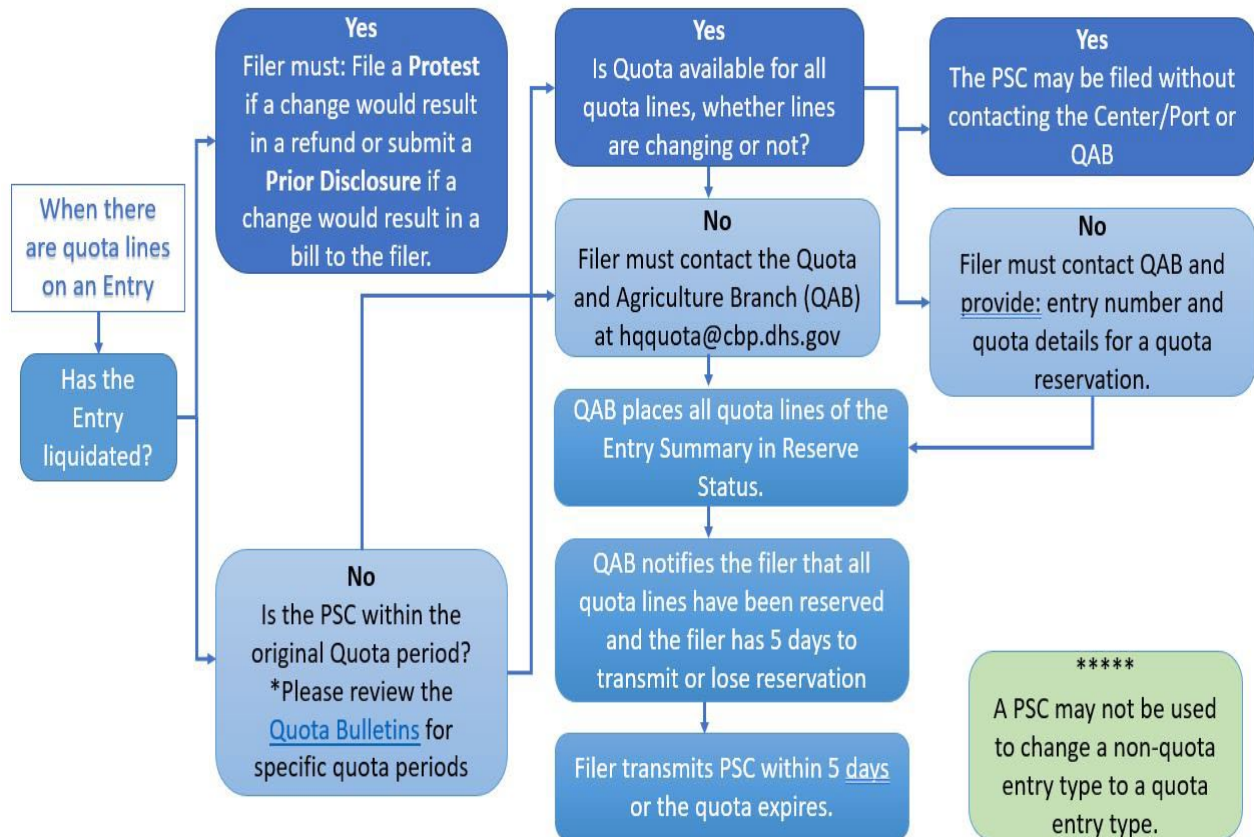
**A.** If the PSC is **within** the original ES quota period, regardless of whether the PSC impacts the quota lines, but ample quota does not exist, the Trade will receive an error message and the summary is rejected. The original summary is maintained, and the filer must contact HQ Quota to reserve quota by advising the HQ Quota of the entry number and quota details.

If the PSC is **outside** of the original ES quota period, regardless of whether the PSC impacts the quota lines, the summary will be accepted (not rejected), the original quota and presentation date will be lost, and incorrect quota period will be attached. Prior to submitting a PSC outside of the original quota period, the Trade must engage HQ Quota to reserve proper period quota.

Once quota lines are reserved by the HQ Quota, the PSCs can be successfully transmitted and accepted. The PSC must be successfully transmitted and accepted in ACE within 5 business days of the quota reservation, or the reservation will cancel.

The following PSC process flow chart can be used as reference to determine whether the filer must engage HQ Quota to reserve quota prior to the submission of a PSC.

### Quota – Post Summary Correction (PSC) Process



### FREQUENTLY ASKED QUESTIONS:

**Q. Does CBP approve all post-entry quota-related claims?**

**A.** No, a claim may only be allowed if the applicable quota period is open, quota remains, and a sufficient balance is available for the applicable quota period at the time the claim is submitted. On those occasions where the quota fills after receipt of a timely file post-entry claim but before quota was reported by CBP, CBP will accept the request and report quota based on the fact that quota was available at the time the claim was properly submitted. Claims submitted after the quota filled or closed must be denied.

## **X. SHARED RESPONSIBILITY and BROKER PENALTIES**

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The Customs Modernization Act (Mod Act) imposed a greater obligation on CBP to provide the public with improved information concerning the trade community's rights and responsibilities under customs regulations and related laws. In addition, both the trade and CBP shared responsibility for carrying out these requirements.

CBP enforces law by targeting and penalizing lawbreakers through monetary penalties and legal action. Unfair, unsafe, or illicit trade practice is not tolerated within U.S. supply chains.

The goal of the Penalties Program is to ensure that penalties are effective in deterring noncompliance. This requires national direction and uniformity among the 326 ports of entry and 42 Fines, Penalties and Forfeitures field offices, as well as the use of appropriate compliance alternatives and a focus on violations involving Priority Trade Issues.

The below referenced documents are intended to provide guidance and information to the trade community pertaining to petitions for relief, delegation of authority to decide petitions for relief, mitigation guidelines and customs administrative enforcement processes associated with fines, penalties, forfeitures and liquidated damages.

[Customs Administrative Enforcement Process: Fines, Penalties, Forfeitures and Liquidated Damages](#)

[Publications: “What Every Member of the Trade Community Should Know About: Customs Brokers”](#)



## **XI. MANAGEMENT OVERSIGHT & SELF INSPECTION**

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### **OVERVIEW**

The trade can use the weekly commodity status report (CSR) for the management of various commodities. The CSR (<https://www.cbp.gov/document/report/commodity-status-report>) provides commodity limits, weekly updates, and insight to quota usage status.

HQ Quota conducts monthly QID reviews of pending quota lines in the ACE Quota Module (by subject matter) to ensure the accurate and timely reporting of quota and address any outstanding issues.

## XII. REPORTS

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### WEEKLY COMMODITY STATUS REPORT

The commodity status report is a weekly report that shows the restraint levels, quantity entered to date, and percentage filled for tariff-rate quotas and tariff preference levels. Once the quota period for a particular commodity ends, the new period will then appear on the report. The four most recent commodity status reports can be found on the CBP Internet Site:

<https://www.cbp.gov/trade/quota/tariff-rate-quotas>. The weekly Commodity Status Report can be used as a quick reference to determine which Quota IDs are filled or near filling.

The report consists of the following groups of quotas:

- Agriculture/non-textile tariff-rate quotas associated with a free trade agreement listed in alphabetical order by country, then sequential by note.
- Quotas established in the HTSUS in order by chapter and note; and
- Tariff preference levels for textiles and wearing apparel associated with a free trade agreement listed in alphabetical order by country, then sequential by note/number.
- Absolute quotas such as steel and aluminum.

The fields on the Commodity Status Report relate to basic definitions and concepts associated with quota:

- *Period* – The length of time (i.e., calendar year) the current quota is in effect. The report lists beginning and end dates.
- *Country* – Quotas may be global (not designated by country), specific to a country, or specific to a group of countries as defined by the scope of the quota.
- *Unit of Measure* – The reporting quantity applicable for the quota (i.e., kilograms, square meters). This frequently corresponds to the reporting quantity associated with the relevant HTSUS provisions.
- *Q-Level* – The restraint limit for the quota during the current period; this may apply to a global/regional quota or country-specific limit, or a country's minimum guaranteed quantity.
- *Ent-Qty* – How much has been charged to the quota to date.
- *% Filled* – The quantity entered to date expressed as a percentage of the restraint limit.
- *Low Filled* – The in-quota (low) rate for a tariff-rate quota or tariff preference level is exhausted for the remainder of the quota period.
- *MAQ* – Minimum Access Quantity. A MAQ guarantees specific countries access to not less than a specified portion of a quota's aggregate limit. The aggregate and unfilled MAQ limits remain available until balances are exhausted. Once a MAQ amount is reached, the country may continue to utilize the remaining amount in the global (or "all others") limit while a balance remains available.
- *Banned* – Technically, the quota exists, but for some reason (i.e., special instructions to implement needed from another agency) nothing may be charged to the quota at the present time.

## **QUARTERLY COMMODITY STATUS REPORT**

Same as above but formatted by calendar quarter.

## **TRQ/TPL THRESHOLD/FILL QUICK REFERENCE LIST**

The Tariff Rate Quota/Tariff Preference Level Threshold/Fill Quick Reference List is an at-a-glance report of quotas that are filled or close to filling. The report is divided into two sections: in-quota (low) duty rate restraint limits that have reached at least 85% and in-quota (low) duty rate restraint limits that have filled. This information can be obtained in the Commodity Status Report.

## **HISTORICAL FILL RATE TABLES**

The Historical fill rate tables are an at-a-glance record of restraint limit fill activity for completed quota periods. Each table is dedicated to a specific quota or related group of quotas. TRQ and TPL limits are listed by year/quota period and country where applicable. Multiple limits associated with the same quota/commodity, including minimum access quantities, are included. Wherever appropriate, the workbooks contain multiple worksheets. These tables can be found at:

<https://www.cbp.gov/trade/quota/tariff-rate-quotas>

### XIII. REFERENCES

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Note: This section is not intended to be all-inclusive. It is meant to provide a centralized list of significant, frequently referenced documents to aid day-to-day quota processing operations.

#### CUSTOMS DIRECTIVES

Copies of quota directives are available online at:  
<http://www.cbp.gov/trade/rulings/directives-handbooks>

#### CUSTOMS RULINGS/DECISIONS

The selected rulings referenced below are general in nature and address broad quota processing issues. For rulings that address more commodity-specific quota questions (i.e., proper classification/valuation/textile category), search the Customs Rulings Online Search System (CROSS) at

<http://rulings.cbp.gov/>.

<b><i>RULING NUMBER</i></b>	<b><i>ISSUE DATE</i></b>	<b><i>DESCRIPTION</i></b>
HQ 114067	11/12/1997	TRQ – date of entry
HQ 114071	01/15/1998	TRQ – release under immediate delivery
HQ 114134	06/19/1998	TRQ – time of entry
HQ 114135	07/21/1998	TRQ – release under immediate delivery
HQ 114136	06/19/1998	TRQ – time of entry
HQ 114544	12/15/1998	Date of export for quota purposes; Textiles
HQ 114717	06/16/1999	Beef TRQ: In-quota rate vs. over-quota, export certificate
HQ 225642	04/03/1995	Quota vs. TIB applicability
HQ 225785	08/11/1995	Absolute quota vs. samples, TIBs, A.T.A., and Carnet
HQ 228291	11/01/1999	Drawback on over-quota rate
HQ 229188	03/04/2002	“Proper Form” definition
HQ 116055	02/04/2004	Proration not reissued for high duty
HQ H167136	07/29/2011	NAFTA Over-quota and MPF

## INTERNET SITES/LINKS

<u>Address/Link Option</u>	<u>Description</u>
<a href="http://www.cbp.gov">www.cbp.gov</a>	Customs and Border Protection Home Page
<a href="https://www.cbp.gov/trade/quota/quota-faq">https://www.cbp.gov/trade/quota/quota-faq</a>	Quota FAQ
<a href="https://otexa.trade.gov/">https://otexa.trade.gov/</a>	Office of Textiles and Apparel, Department of Commerce Home Page
<a href="https://www.federalregister.gov/">https://www.federalregister.gov/</a>	Federal Register On-Line
<a href="https://www.wto.org/">https://www.wto.org/</a>	World Trade Organization
<a href="https://hts.usitc.gov/current">https://hts.usitc.gov/current</a>	Harmonized Tariff Schedule

## XIV. GLOSSARY

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**NOTE:** The following definitions are terms that are normally encountered in the activities, procedures, or processing related to the administration of the quota program. CBP's regulations provide definitions related to quota at [19 CFR 132.1](#).

**ABSOLUTE QUOTA** – Permits a limited quantity of imported merchandise to be entered into the commerce or withdrawn from the warehouse for consumption during a specified period (quota period). Some quotas are global and limited by a single quantity level, while others limit the quantity levels for specified foreign countries (geographic quotas).

**ACE-** Automated Commercial Environment is the system of record for quota entry summaries after Quota is fully deployed.

**AFRICAN GROWTH AND OPPORTUNITY ACT (AGOA)** – Section 112 of The Trade and Development Act of 2000 that was signed into law on May 18, 2000, outlining the treatment of certain textile and textile apparel products from eligible Sub-Saharan African countries.

**AUSTRALIA FREE TRADE AGREEMENT (US-AFTA or AUFTA)** - Trade agreement implemented by Presidential Proclamation 7857, dated December 20, 2004, and published in the Federal Register on December 23, 2004, outlining the preferential treatment of certain products from Australia.

**CATEGORY** – A three-digit numeric code that identifies the fiber and level of processing for textile or textile apparel merchandise. These three-digit codes organize similar textile items into groups for import control purposes.

**CARIBBEAN BASIN TRADE PARTNERSHIP ACT (CBTPA)** – This trade program provides for the entry of specific textile and textile apparel articles, from designated countries in the Caribbean Basin, free of duty and free of any quantitative restrictions, limitations or consultation levels, except those noted in the Act, as well as other benefits to non-textile products.

**CENTRAL AMERICAN FREE TRADE AGREEMENT (CAFTA-DR)** - The trade agreement implemented by several Presidential Proclamations outlining the preferential treatment of certain products from eligible countries.

Presidential Proclamation 7987, dated February 28, 2006, implemented the Agreement for the country of El Salvador effective March 1, 2006.

Presidential Proclamation 7996 dated March 31 implemented the Agreement for Honduras and Nicaragua for goods entered, or withdrawn from warehouse for consumption, on or after April 1, 2006.

Presidential Proclamation 8034, dated July 6, 2006, implements the Agreement for goods of

Guatemala entered, or withdrawn from warehouse for consumption, on or after July 1, 2006.

Presidential Proclamation 8111, dated February 28, 2007, implements the Agreement for goods of the Dominican Republic, entered, or withdrawn from warehouse for consumption, on or after March 1, 2007.

Presidential Proclamation 8331, dated December 23, 2008, implements the Agreement for goods of the Costa Rica, entered, or withdrawn from warehouse for consumption, on or after January 1, 2009.

**CHILE FREE TRADE AGREEMENT (US-CFTA or CLFTA)** – Trade agreement implemented by Presidential Proclamation 7746 that was signed into law on December 30, 2003, outlining the preferential treatment of certain products from Chile.

**CITA (COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS)** – U.S. interagency body chaired by the Department of Commerce, Office of Textiles and Apparel and including representatives from the Office of the U.S. Trade Representative, and the Departments of State, Labor, and Treasury. CITA issues directives based on bilateral agreements or special trade program legislation directing the Commissioner of CBP to administer textile quotas.

**CLOSING/FILL** – The presentation level where, for absolute quotas, no further transactions will be accepted. The quantity levels/limits have been reached and the quota is closed for the duration of the quota period. For tariff-rate quotas, it is the closing of the in-quota (low) rate of duty. Subsequent tariff-rate quota entry summaries will only be accepted at the over-quota (high) rate of duty for the duration of the quota period. For TPLs, subsequent claims for preferential treatment must be denied and merchandise becomes subject to the Column One rate of duty and any applicable restrictions.

**COLOMBIA TRADE PROMOTION AGREEMENT (CTPA or COTPA)** -Trade agreement implemented by Presidential Proclamation 8818 that was signed into law on May 14, 2012. The Proclamation incorporated, by reference, Publication 4320 of the United States International Trade Commission (USITC). Annex I to Publication 4320 amends the HTSUS.

**DATE OF PRESENTATION** – The date of physical delivery, in proper form, of either an entry summary, entry/entry summary (“live”) or warehouse withdrawal for consumption with duties attached or scheduled for payment of duties via ACH. **For electronic submissions in ACE, the later of the three dates is used to compose presentation.**

**eCERT (ELECTRONIC CERTIFICATION SYSTEM)** - The program that allows the automated tracking and usage of certificates, licenses and visas issued by participating countries for certain commodities imported into the United States.

**DATE OF IMPORTATION** - For merchandise arriving in the U.S. by vessel, the import date on which the importing vessel transporting the merchandise from the foreign country arrived within the limits of the U.S. port with the intent to unlade. For merchandise arriving in the U.S.

other than by vessel, the import date is the date on which the merchandise arrived within the U.S. port limits. The import date will be generated in ACE when the vessel is arrived in the system. [[19 CFR 4.2 Reports of Arrival of Vessels](#)]

**ELVIS (ELECTRONIC VISA INFORMATION SYSTEM)** – Previous program that has been folded into the eCERT program.

**ISRAEL AGREEMENT ON TRADE IN AGRICULTURAL PRODUCTS (US-IFTA or ILFTA)** – Program implemented by Presidential Proclamation 7826 that was signed into law on October 4, 2004, outlining the treatment of certain qualifying agricultural products from Israel.

**KOREA FREE TRADE AGREEMENT (US-KFTA or KORUS)** - Presidential Proclamation 8783, dated March 6, 2012, effective March 15, 2012. The Agreement provides for the immediate or staged elimination of duties and barriers to bilateral trade in goods and services originating in the United States and/or Korea.

**MOROCCO FREE TRADE AGREEMENT (US-MFTA or MAFTA)** – Trade agreement implemented by Presidential Proclamation 7971 that was signed into law on December 22, 2005, outlining the treatment of certain products from Morocco.

**NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)** – A trilateral trade agreement between the United States, Mexico and Canada. It was enacted as part of the Customs Modernization legislation package in December 1993 and implemented on January 1, 1994. It expired on June 30, 2020 and is replaced by USMCA on July 1, 2020.

**OMAN FREE TRADE AGREEMENT (US-OFTA or OMFTA)** – Trade agreement implemented by Presidential Proclamation 8332 that was signed into law on December 29, 2008, outlining the preferential treatment of certain products from Oman.

**OPENING DAY** – The first working day of a quota period.

**OPENING MOMENT** – 12:00 Noon ET/EST (Eastern Standard Time) or its equivalent in other time zones on the first business day of the quota period. Quota lines for merchandise expected to fill at opening moment go on quota “hold.”

**OVERFILLING** – When the amount entered and charged to a particular quota exceeds the restraint levels authorized for that quota.

**OVERSUBSCRIPTION** – When a quota opens (and is expected to fill at opening) and the total quantity presented by all importers is greater than the amount of quota available. Both absolute and tariff-rate quotas can and do oversubscribe at opening/reopening of the quota. When HQ Quota expects that a quota will oversubscribe at the opening, a message is posted to the CBP Internet and Intranet sites for use by CBP field personnel, as well as other interested parties such as importers and brokers.



**PERU TRADE PROMOTION AGREEMENT (US-PTPA or PETPA)** – Trade agreement implemented by Presidential Proclamation 8341, dated January 16, 2009, outlining the treatment of certain products from Peru.

**PRESENTATION DATE** – is derived using the following criteria:

- The date the entry summary was transmitted.
- The date the goods have arrived. Note: Quota will be using the same arrival date as cargo release
- The date in which payment is scheduled or paid.
- **The later of the three dates will be used as the presentation date. If one of the dates has not been received, the quota line will be held in “pending” status until the condition is met.**

**PROCESSING/REPORTING TIME** – Quota-class entries are expeditiously processed through the ACE Quota Module.

**PROPER FORM** – Proper form means that the entry summary is correct (i.e., proper estimated duties attached, proper HTSUS number claimed, etc.) and contains the information necessary for CBP to determine whether the merchandise is entitled to quota status and priority (*see* ruling HQ 229188 (March 4, 2002)).

**QUOTA** – An import quota is a quantity control placed on imported merchandise for a specified period of time.

**QUOTA-CLASS MERCHANDISE** – Any imported merchandise subject to limitations under an absolute or tariff-rate quota.

**QUOTA LIMITS** – The quantity levels or restraint limits specified for the different types of quotas.

**QUOTA PERIOD** – A specific period of time with a beginning and ending date of a year’s duration or other specified time period.

**QUOTA PRIORITY** – The precedence granted to one entry or withdrawal for consumption of quota-class merchandise over other entries or withdrawals of merchandise subject to the same quota. Quota priority is determined as of the date/time of presentation. [[19 CFR 132.11\(a\)](#)]

**QUOTA PRORATION** – A quota is prorated when the amount presented exceeds the restraint limit available for a quota that oversubscribes at opening. The pro-rata percentage is determined by dividing the quota limit by the total quantity presented. The calculation of this percentage ensures that each importer receives an equal share of the quota relative to what they properly presented. The importer has the option to determine how their allocation will be distributed for their total amount presented provided the shipment has not been released from CBP custody. An importer may take any amount (including nothing) on an entry, if the aggregate quantity taken does not exceed the total pro-rata amount allowed.

**QUOTA STATUS** – The standing that entitles quota-class merchandise to admission under an absolute quota, a reduced rate of duty under a tariff-rate quota or to any other quota benefit. Quota status is determined as of the date/time of presentation.

**REPORTING UNIT OF MEASURE** – A specified unit of measure for reporting quota. These are identified in the messages posted to the CBP Internet and Intranet sites.

**SPECIAL PROGRAM INDICATORS (SPI)** – Programs under which special tariff treatment may be provided; each has a corresponding symbol to designate the program. Applicable provisions are indicated in the “Special” sub-column of the HTSUS.

**STATISTICAL MONITORING** – Occurs at the request of other government agencies to determine the quantity of a commodity being imported from a specific country or group of countries.

**TARIFF PREFERENCE LEVEL (TPL)** – A tariff preference level quota is similar to a tariff-rate quota and applies to certain textiles and apparel covered by free trade agreements or special trade programs. However, quantities imported in excess of the reduced duty rate for a TPL are subject to the column one rate of duty in the Harmonized Tariff Schedule.

**TARIFF-RATE QUOTA** – Permits a specified quantity of imported merchandise to be entered or withdrawn from warehouse for consumption at a reduced rate of duty during a specified period (quota period).

**TIME OF PRESENTATION** – The time of delivery (whether paper or electronic), in proper form, of either an entry summary, entry/entry summary (“live entry”), or warehouse withdrawal for consumption with duties attached or scheduled for payment of duties via ACH. This time establishes the quota status and quota priority.

**THRESHOLD** – A quantity limit set in the system by HQ Quota that, when reached, triggers affected quota lines to be placed on quota “hold.” Reaching threshold indicates that a quota is approaching the restraint level. The threshold is generally set at 95% for TRQs and TPLs and at 85% for absolute quotas, but each is done at the discretion of HQ Quota.

**TRANSFER OF ALLOTMENT** – A transfer of allotment occurs when an importer has entries at more than one port location and the aggregate reported quantity exceeds their allocation. Rather than take the pro-rata percentage by port, the importer may elect to take more at one port and less at another, but not more than the total proration quantity allowed to that importer.

**UNITED STATES TRADE REPRESENTATIVE (USTR)** – The U.S. Trade Representative is America’s chief trade negotiator, spokesperson, and the principal trade policy advisor to the President. The USTR is a Cabinet member and coordinates U.S. international trade, commodity, and direct investment policy and leads/directs negotiations with other countries on such matters. These bilateral trade agreements with foreign countries may involve absolute or tariff-rate quotas and quantities of various commodities that the country will be permitted to import into the United States.

**UNITED STATES MEXICO CANADA FTA (USMCA)** – A trilateral trade agreement between the United States, Mexico and Canada. It entered into force on July 1, 2020, replacing NAFTA.

**VISA** – An endorsement from a foreign country in the form of a stamp on a commercial invoice or export document, signed by an authorized agent of the foreign government, authorizing the exportation of a specific quantity of a particular product to the United States, and/or an electronic transmission.

**WORLD TRADE ORGANIZATION (WTO)** – Enacted under the Uruguay Round Agreements Act of 1994. The Presidential Proclamation was signed in December 1994 implementing tariff reductions.

## APPENDIX I. TOP QUOTA REMINDERS

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1. Please refer to this Quota Handbook and other online resources for quota question resolution before contacting HQ Quota. <https://www.cbp.gov/trade/quota>
2. Please refer to the commodity status report posted online weekly for status on quota fill rates.
3. At the beginning of a quota period, take note to see if incoming entry summaries were filed timely on tariff-rate quota commodities – shipments released in one quota period must have the accompanying entry summary filed by the end of that quota period, otherwise the entry summary is considered a late file. (*See Section III*)
4. The Trade may transmit the quota entry summaries in ACE on the opening day **from 12:00 AM (midnight) local port time until 12:00 PM (noon) Eastern Time (ET/EST) only**. Entry summaries reported early or late, (before 12 Midnight Local Port Time, or after 12 Noon ET/EST), will not be processed for the opening; however, early transmissions may be retransmitted within the proper range of time. **Please note:** For remote filers, the **port of entry dictates** the time and date of presentation for quota purposes.
5. For opening moment quotas, the date and time of presentation for entries manually presented timely is noon Eastern Standard Time. Other time zones should be adjusted accordingly to reflect the equivalent time. (*See Section IV* of this handbook). For entry summaries transmitted in ACE the opening moment timeframe is 12:00 a.m. (local port time) to 12 Noon ET/EST for all time zones.
6. Liquidation of a warehouse or re-warehouse entry should not be performed until all merchandise covered by the entry has been accounted for within the bonded period by withdrawal, abandonment, or destruction, or until the bonded period has expired if the merchandise has not been so accounted for before that time. Once this type of entry liquidates, CBP cannot make any changes, including issuing refunds. Warehouse entry is not liquidated until final withdrawal. All withdrawals should show duty collection code 002 unless it is the final balance in the warehouse on the entry which will show duty collection code 99.
7. Important timeframes to remember:
  - a. The trade has 5 days to re-transmit prorated/allocated lines or the lines are moved from “reserved” to “expired” per [[19 CFR 132.12\(c\)\(2\)](#)]. If quota expires it may not be re-issued.

**APPENDIX II. ENTRY TYPE CODES FOR QUOTA-CLASS MERCHANDISE**

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ENTRY TYPE CODE	DESCRIPTION
02	Consumption Entry–Quota/Visa
04	Consumption Entry–Appraisalment
06	Consumption Entry–Foreign Trade Zone Consumption
07	Consumption Entry–Quota/Visa and AD/CVD Combinations
12	Informal Entry–Quota other than textiles
23	Warehouse Entry– Temporary Importation Bond (TIB)
32	Warehouse Withdrawal–Quota/Visa
38	Warehouse Withdrawal–Quota/Visa and AD/CVD Combinations
51	Government Entry–Defense Contract (DCMAO NY)
52	Government Entry–Any U.S. Federal Government Agency (Other than DCMAO NY)
53	Government Entry – Duty Free using Chapter 98 per 19 CFR 10.102

### APPENDIX III. SPECIAL PROGRAM INDICATORS

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An alphabetical list of programs under which special tariff treatment may be provided, and the corresponding symbols to designate these programs, is shown below. These programs are indicated in the “Special” sub-column of the HTSUS. This list is as current as possible at the time of publication; it may not be all-inclusive and is subject to change.

PROGRAM NAME	INDICATOR CODE(S)
African Growth and Opportunity Act (Textiles)	D 9819
Agreement on Trade in Civil Aircraft	C, C#
Agreement on Trade in Pharmaceutical Products	K, K#
Andean Trade Promotion and Drug Eradication Act (Textiles)	J, J*, J+ 9821
Articles from the Freely Associated States	Z
Australia Free Trade Agreement	AU
Automotive Products Trade Act	B, B#
Caribbean Basin Economic Recovery Act (Also called Caribbean Basin Initiative)	E, E*
Chile Free Trade Agreement	CL
Caribbean Basin Trade Partnership Act	R
Colombia Trade Promotion Agreement	CO
Dominican Republic – Central America Free Trade Agreement	P, P+
Generalized System of Preferences	A, A*, A+
Haitian Hemispheric Opportunity through Partnering Encouragement Act (Textiles)	9820

PROGRAM NAME	INDICATOR CODE(S)
Identification for Articles that are Components of a Set	V
Identification of Sets and the Tariff Number Used to Calculate the Rate of Duty	X
Israel Free Trade Area	IL
Jordan Free Trade Agreement	JO
Korea Free Trade Agreement Implementation Act	KR
Morocco Free Trade Agreement	MA
North American Free Trade Agreement	
Goods of Canada	CA
Goods of Mexico	MX
Oman Free Trade Agreement	OM
Peru Trade Promotion Agreement	PE
Products of West Bank and Gaza Strip Jordan and Egypt QIZ	N
Products of Puerto Rico (Advanced in Value or Improved In Condition in a CBERA Beneficiary Country (See 19 USC 2703(a)(5))	W
Products of Insular Possessions	
Uruguay Round Concessions on Intermediate Chemicals for Dyes	L, L#
USMCA Free Trade Agreement	S, S+

# = Goods of Canada eligible for a designated program, plus exemption from Merchandise Processing Fee

**APPENDIX IV. COMMODITIES/QUOTA PERIODS**

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A list of quotas, quota period begin/end dates, and expiration dates is shown below. This list is as current as possible at the time of publication; it may not be all-inclusive and is subject to change. This list includes commodities subject to agricultural licensing.

<u>COMMODITY</u>	<u>SOURCE</u>	<u>BEGINS</u>	<u>ENDS</u>	<u>EXPIRES</u>
HTSUS TRQs				
Brooms, Other	9603.10	01/01	12/31	-----
Brooms, Wisk	9603.10	01/01	12/31	-----
Ethyl Alcohol	99 USN 3	01/01	12/31	-----
Milk, Whole	0401.20	01/01	12/31	-----
Olives	2005.70	01/01	12/31	-----
Satsumas/Mandarin Oranges	2008.30	01/01	12/31	-----
Tuna	1604.14	01/01	12/31	-----
Upland Cotton	9903.52	Weekly USDA (Specifics in notice)		
Worsted Wool	9902.51	01/01	12/31	12/31/14

<u>COMMODITY</u>	<u>SOURCE</u>	<u>BEGINS</u>	<u>ENDS</u>	<u>EXPIRES</u>
GATT TRQs				
American Cheese	4 AUSN 19	01/01	12/31	-----
Animal Feed	23 AUSN 2	01/01	12/31	-----
Beef	2 AUSN 3	01/01	12/31	-----
Blended Syrup	17 AUSN 9	10/01	09/30	-----
Blue Mold Cheese	4 AUSN 17	01/01	12/31	-----
Butter, Fresh/Sour Cream	4 AUSN 6	01/01	12/31	-----
Butter Subs/Oils	4 AUSN 14	01/01	12/31	-----
Cheddar Cheese	4 AUSN 18	01/01	12/31	-----
Cheese/Sub Cheese	4 AUSN 16	01/01	12/31	-----
Cheese/Sub Cheese	4 AUSN 23	01/01	12/31	-----
Chocolate	18 AUSN 2	01/01	12/31	-----
Choc/LF/Crumb	18 AUSN 3	01/01	12/31	-----
Cocoa Powder	18 AUSN 1	10/01	09/30	-----
Cotton/Carded Strips	52 AUSN 9	09/20	09/19	-----
Cotton Fiber	52 AUSN 10	09/11	09/10	-----
Dairy Products	4 AUSN 10	01/01	12/31	-----
Dried Milk	4 AUSN 7	01/01	12/31	-----
Dried Milk/Cream/Whey	4 AUSN 12	01/01	12/31	-----
Dried Milk & Cream	4 AUSN 8	01/01	12/31	-----
Dried Milk & Cream	4 AUSN 9	01/01	12/31	-----
Edam/Gouda Cheese	4 AUSN 20	01/01	12/31	-----



Ice Cream	21 AUSN 5	01/01	12/31	-----
Infant Formula	19 AUSN 2	01/01	12/31	-----
Italian Type Cheese	4 AUSN 21	01/01	12/31	-----
Milk/Cream	4 AUSN 5	01/01	12/31	-----
Milk & Cream (Cond/Evap)	4 AUSN 11	01/01	12/31	-----
Mixed Condiments/Seasonings	21 AUSN 4	10/01	09/30	-----
Mixes/Doughs	19 AUSN 3	10/01	09/30	-----
Peanut Butter/Paste	20 AUSN 5	01/01	12/31	-----
Peanuts	12 AUSN 2	04/01	03/31	-----
Raw Cotton	52 AUSN 5	09/20	09/19	-----
Raw Cotton	52 AUSN 6	08/01	07/31	-----
Raw Cotton	52 AUSN 7	08/01	07/31	-----
Raw Cotton	52 AUSN 8	08/01	07/31	-----
Sugar (Raw/Refined/Specialty)	17 AUSN 5	10/01	09/30	-----
Sugar Blends	17 AUSN 7	10/01	09/30	-----
Sugar Blends	17 AUSN 8	10/01	09/30	-----
Swiss/Ementaler Cheese	4 AUSN 22	01/01	12/31	-----
Swiss/Ementaler Cheese	4 AUSN 25	01/01	12/31	-----
Tobacco	24 AUSN 5	09/13	09/12	-----

#### ABSOLUTE QUOTA

COMMODITY	SOURCE	BEGINS	ENDS	EXPIRES
Various Steel	Presidential Proclamation 9740	01/01	12/31	-----
Various Aluminum	Presidential Proclamation 9711	01/01	12/31	-----
Exclusions	Presidential Proclamation 9777	01/01	12/31	-----

1<sup>st</sup> quarter (January 1<sup>st</sup> – March 31<sup>st</sup>)

2<sup>nd</sup> quarter (April 1<sup>st</sup> – June 30<sup>th</sup>)

3<sup>rd</sup> quarter (July 1<sup>st</sup> – September 30<sup>th</sup>)

4<sup>th</sup> quarter (October 1<sup>st</sup> – December 31<sup>st</sup>)

#### STEEL and ALUMINUM TRQ

COMMODITY	SOURCE	BEGINS	ENDS	EXPIRES
European Union Steel	Presidential Proclamation 10328	01/01	12/31	12/31/24
EU Aluminum	Presidential Proclamation 10327	01/01	12/31	12/31/24
Japan and UK Steel	Presidential Proclamation 10406	01/01	12/31	12/31/24
UK Aluminum	Presidential Proclamation 10405	01/01	12/31	12/31/24
Exclusions	Presidential Proclamation 10328	01/01	12/31	12/31/24

1<sup>st</sup> quarter (January 1<sup>st</sup> – March 31<sup>st</sup>)

2<sup>nd</sup> quarter (April 1<sup>st</sup> – June 30<sup>th</sup>)

3<sup>rd</sup> quarter (July 1<sup>st</sup> – September 30<sup>th</sup>)

4<sup>th</sup> quarter (October 1<sup>st</sup> – December 31<sup>st</sup>)

ISRAEL TRQs COMMODITY	SOURCE	BEGINS	ENDS	EXPIRES
Butter, Fresh/Sour Cream	99 USN 3	01/01	12/31	12/31/14
Cheese, Cheese Substitutes	99 USN 5	01/01	12/31	12/31/14
Dried Milk	99 USN 4	01/01	12/31	12/31/14
Ice Cream	99 USN 7	01/01	12/31	12/31/14
Peanuts	99 USN 6	01/01	12/31	12/31/14 <sup>1</sup>
<b><i>OTHER PROGRAMS</i></b>				
AGOA	9819	10/01	09/30	09/30/15
Australia Free Trade	9913	01/01	12/31	-----
CAFTA	9822	01/01	12/31	12/31/24 (Agriculture) 12/31/14 12/31/18 (Textiles)
CBTPA	9820	10/01	09/30	09/30/20
Chile Free Trade	9911	01/01	12/31	12/31/14 (Agriculture) 12/31/15 (Textiles)
Haiti HOPE (Value-added TPL)	9820	12/20	12/19	12/19/20
Haiti HOPE (Knit/woven apparel TPLs)	9820	10/01	09/30	09/30/20
Morocco Free Trade	9912	01/01	12/31	12/31/19 (Agriculture) 12/31/15 (Textiles)
Oman Free Trade	9916	01/01	12/31	12/31/17 A 12/31/18 T
Peru Trade Promotion	9917	01/01	12/31	12/31/24 12/31/11 T
USMCA Free Trade	9822	01/01	12/31	12/31/XX A 12/31/XX T

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<sup>1</sup> Israel TRQ expires annually and has been renewed by legislation.

## **APPENDIX V. ENTRY REQUIREMENTS FOR TEXTILES AND TEXTILE APPAREL COMMERCIAL SAMPLES**

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To qualify for duty-free entry, commercial samples of negligible value imported from Canada or Mexico must meet the conditions in HTSUS Chapter 98, under subheading 9811.00.60, providing for samples that are marked, torn, perforated, or otherwise treated as to be unsuitable for sale or for use except as commercial samples.

Commercial samples of negligible value imported from Canada or Mexico will qualify for duty-free entry under subheading 9811.00.60, HTSUS, only if:

- The samples are imported solely for the purpose of soliciting orders for foreign goods; and if valued over U.S. \$1, the samples are properly marked, torn, perforated or otherwise treated prior to arrival in the United States so that they are unsuitable for sale or for use except as commercial samples [[19 CFR 181.62](#)].

### Subchapter XI: Samples for Soliciting Orders

#### U.S. Notes

1. Any article exempted under this subchapter from the payment of duty shall be exempt also from the payment of any internal-revenue tax imposed upon or by reason of importation and from the labeling requirements of the Federal Alcohol Administration Act and chapter 52 of the Internal Revenue Code of 1954.

2. The provisions of headings 9811.00.20 or 9811.00.40 apply to not more than one sample of each beverage product, or of each tobacco product, cigarette paper or cigarette tube, respectively, admitted during any calendar quarter for the use of each person importing alcoholic beverages, tobacco products, cigarette papers or cigarette tubes in commercial quantities.

**APPENDIX VI. QUOTA PRORATION**

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QUOTA PRORATIONS (SUGAR)

(This Information should be submitted for manual submissions and ACE electronic submissions)

DATE OF OPENING:

COMMODITY:

FILER'S NAME:

FILER PHONE:

IMPORTER NAME:

IMPORTER NUMBER:

POINT of CONTACT:

PORT CODE and NAME for ORIGINATING PORT of ENTRY:

PORT CODE and NAME RECEIVING PRORATION:

(**Note:** Entry summary(s) must be included when zero amount is taken)

DISTRICT PORT CODE	ENTRY NUMBER	LINE NO.	QUANTITY PRESENTED	QUANTITY TO BE TAKEN
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REMARKS:

TOTALS:      \_\_\_\_\_      \_\_\_\_\_

**APPENDIX VII. QUOTA TRANSFER OF ALLOTMENT FORM**

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INSTRUCTIONS FOR REQUESTING TRANSFER OF ALLOTMENT

- All required information must be typed or legibly printed and maybe emailed to HQ.
- When determining the total allocation for an importer with entries at more than one port, all ports must be considered when a transfer of allotment is requested.
- The total of the “Quantity to be Taken” column must be less than or equal to the total allocation allowed to that importer.
- Entries must be grouped by port location.
- Port contact should be the appropriate Customs and Border Protection personnel.

TRANSFER OF ALLOTMENT REQUEST

Importer: \_\_\_\_\_ IR Number: \_\_\_\_\_  
 Broker: \_\_\_\_\_ Filer Code: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Port: \_\_\_\_\_ Contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Port: \_\_\_\_\_ Contact: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Port: \_\_\_\_\_ Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Total presented by importer multiplied by proration percentage equals the total quantity allocated to the importer.

\_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

PORT	ENTRY NUMBER	LINE	QUANTITY PRESENTED	QUANTITY TO BE TAKEN
------	--------------	------	-----------------------	-------------------------

TOTALS: \_\_\_\_\_

## APPENDIX VIII. TABLE OF TEXTILE CATEGORY NUMBERS

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Category numbers are three-digit codes that correspond to specific merchandise, or groups of merchandise, and are used to monitor the importation of some textile goods. Traditionally, the first digit indicates the main fiber type: 300 for cotton, 400 for wool, 600 for man-made fiber, and 800 for silk blends of less than 70% silk, or non-cotton vegetable fiber (such as flax or hemp). Category 200 covers cotton or man-made fiber fabrics and indicates the weave or type of cloth, thread, yarns, and infant wear. The second digit indicates the degree of manufacture: 0 indicates no further processing than yarn, 1 or 2 is fabric, 3-5 is apparel, and 6 or higher indicates made-up and miscellaneous articles.

Under the Agreement on Textiles and Clothing (ATC) and the Uruguay Round of 1994, quotas on textile apparel and textile articles were phased out over a 10-year period through staged tariff integrations for all WTO member countries. The first integration was implemented in January 1995, the second in January 1998, and the third in January 2002

While these category numbers and the associated descriptions are no longer relevant in the context of absolute quotas, they are still used for textile and apparel goods charged to a TPL. The restraint limit for a TPL in a free trade agreement or special trade program is generally expressed in square meter equivalents (SME). For each category there is an associated factor used by the quota module to convert the HTSUS reporting quantity (i.e., dozens or kilograms) when quantities are charged to a restraint after quota input (QSUP).

CATEGORY	DESCRIPTION	UNIT OF MEASURE
200	Yarns put up for retail sale, and sewing thread	KG
201	Specialty yarns	KG
218	Yarns of different color	M <sup>2</sup>
219	Duck	M <sup>2</sup>
220	Fabric of special weave	M <sup>2</sup>
222	Knit fabric	KG
223	Non-woven fabric	KG
224	Pile & tufted fabric	M <sup>2</sup>
225	Blue denim	M <sup>2</sup>
226	Cheesecloth, batiste, lawn, & voile	M <sup>2</sup>
227	Oxford cloth	M <sup>2</sup>
229	Special purpose fabric	KG
237	Playsuits, sunsuits, etc.	DOZ
239	Baby garments & clothing accessories	KG
300	Carded cotton yarn	KG
301	Combed cotton yarn	KG
313	Sheeting	M <sup>2</sup>
314	Poplin & broadcloth	M <sup>2</sup>
315	Printcloth	M <sup>2</sup>

<b>CATEGORY</b>	<b>DESCRIPTION</b>	<b>UNIT OF MEASURE</b>
317	Twills	M <sup>2</sup>
326	Sateens	M <sup>2</sup>
330	Handkerchiefs	KG
331	Gloves & mittens	DPR
332	Hosiery	DPR
333	M&B suit-type coats	DOZ
334	Other M&B coats	DOZ
335	W&G coats	DOZ
336	Dresses	DOZ
338	M&B knit shirts	DOZ
339	W&G knit shirts & blouses	DOZ
340	M&B shirts, not knit	DOZ
341	W&G shirts & blouses, not knit	DOZ
342	Skirts	DOZ
345	Sweaters	DOZ
347	M&B trousers, breeches & shorts	DOZ
348	W&G trousers, breeches & shorts	DOZ
349	Brassieres & other body supporting garments	DOZ
350	Robes, dressing gowns, etc.	DOZ
351	Nightwear & pajamas	DOZ
352	Underwear	DOZ
353	M&B down-filled coats	DOZ
354	W&G down-filled coats	DOZ
359	Other cotton apparel	KG
360	Pillowcases	NO
361	Sheets	NO
362	Bedspreads & quilts	NO
363	Terry & other pile towels	NO
369	Other cotton manufactures	KG
400	Wool yarn	KG
410	Woven fabric	M <sup>2</sup>
414	Other wool fabric	M <sup>2</sup>
431	Gloves & mittens	DPR
432	Hosiery	DPR
433	M&B suit-type coats	DOZ
434	Other M&B coats	DOZ
435	W&G coats	DOZ
436	Dresses	DOZ
438	Knit shirts & blouses	DOZ
439	Babies garments & clothing accessories	KG
440	Shirts & blouses, not knit	DOZ
442	Skirts	DOZ

CATEGORY	DESCRIPTION	UNIT OF MEASURE
443	M&B suits	NO
444	W&G suits	NO
445	M&B sweaters	DOZ
446	W&G sweaters	DOZ
447	M&B trousers, breeches & shorts	DOZ
448	W&G trousers, breeches & shorts	DOZ
459	Other wool apparel	KG
464	Blankets	KG
465	Floor coverings	M <sup>2</sup>
469	Other wool manufactures	KG
600	Textured filament yarn	KG
603	Yarn containing 85% or more by weight Artificial staple fiber	KG
604	Yarn containing 85% or more by weight Synthetic staple fiber	KG
606	Non-textured filament yarn	KG
607	Other staple fiber yarn	KG
611	Woven fabric containing 85% or more by weight artificial staple fiber	M <sup>2</sup>
613	Sheeting	M <sup>2</sup>
614	Poplin & broadcloth	M <sup>2</sup>
615	Printcloth	M <sup>2</sup>
617	Twills & sateens	M <sup>2</sup>
618	Woven artificial filament fabric	M <sup>2</sup>
619	Polyester filament fabric	M <sup>2</sup>
620	Other synthetic filament fabric	M <sup>2</sup>
621	Impression fabric	KG
622	Glass fiber fabric	M <sup>2</sup>
624	Woven MMF containing 15% but less than 36% wool	M <sup>2</sup>
625	Poplin & broadcloth of both staple & filament fibers	
626	Printcloth of both staple & filament fibers	M <sup>2</sup>
627	Sheeting of both staple & filament fibers	M <sup>2</sup>
628	Twills & sateens of both staple & filament fibers	M <sup>2</sup>
629	Other fabrics of both staple & filament fibers	M <sup>2</sup>
630	Handkerchiefs	DOZ
631	Gloves & mittens	DPR
632	Hosiery	DPR
633	M&B suit-type coats	DOZ
634	Other M&B coats	DOZ
635	W&G coats	DOZ
636	Dresses	DOZ
638	M&B knit shirts	DOZ
639	W&G knit shirts & blouses	DOZ
640	M&B shirts not knit	DOZ



CATEGORY	DESCRIPTION	UNIT OF MEASURE
641	W&G shirts & blouses, not knit	DOZ
642	Skirts	DOZ
643	M&B suits	NO
644	W&G suits	NO
645	M&B sweaters	DOZ
646	W&G sweaters	DOZ
647	M&B trousers, breeches & shorts	DOZ
648	W&G trousers, breeches & shorts	DOZ
649	Brassieres & other body supporting garments	DOZ
650	Robes, dressing gowns, etc.	DOZ
651	Nightwear & pajamas	DOZ
652	Underwear	DOZ
653	M&B down-filled coats	DOZ
654	W&G down-filled coats	DOZ
659	Other MMF apparel	KG
665	Floor coverings	M <sup>2</sup>
666	Other MMF furnishings	KG
669	Other MMF manufactures	KG
670	Flat goods, handbags & luggage	KG
800	Silk blends or non-cotton vegetable fiber yarn	KG
810	Woven fabric, silk blend & non-cotton Vegetable fiber	M <sup>2</sup>
831	Gloves & mittens	DPR
832	Hosiery	DPR
833	M&B suit-type coats	DOZ
834	Other M&B coats	DOZ
835	W&G coats	DOZ
836	Dresses	DOZ
838	Knit shirts & blouses	DOZ
839	Babies garments & clothing accessories	KG
840	Shirts & blouses, not knit	DOZ
842	Skirts	DOZ
843	M&B suits	NO
844	W&G suits	NO
845	Sweaters of non-cotton vegetable fibers	DOZ
846	Sweaters, of silk blends	OZ
847	Trousers, breeches & shorts	DOZ
850	Robes, dressing gowns, etc.	DOZ
851	Nightwear & pajamas	DOZ
852	Underwear	DOZ
858	Neckwear	KG
859	Other apparel	KG
863	Towels	NO
870	Luggage	KG
871	Flatgoods & handbags	KG
899	Other silk and vegetable blend manufactures	KG

KEY TO ABBREVIATIONS

M&B	Men's and Boy's
W&G	Women's and Girls
MMF	Man-made fiber
DOZ	Dozen
DPR	Dozen Pair
KG	Kilogram
M <sup>2</sup>	Square Meters
NO	Number

KEY TO SERIES DESCRIPTIONS:

200	Cotton and/or man-made fiber
300	Cotton
400	Wool
600	Man-made fiber
800	Silk blends or non-cotton vegetable fibers

## APPENDIX IX. SNOW DAY

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SNOW DAY - Under the authority of [19 CFR 132.12\(b\)](#), CBP can make special arrangements for quotas expected to fill at opening moment. Any port that is closed during opening moment procedures will be allowed to process the quota entries as opening moment on the day the port reopens. This will allow fair reporting of all entry summaries.

For circumstances where ACE system issues prevents the filer from transmitting quota entry summaries, the ports will verify through documentation (or other acceptable proof) from assigned client representatives that a good faith effort was made to transmit the required information. HQ Quota may be contacted by the port of entry when additional assistance is needed.