



Billing code 3290-F5

## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

### **Determinations under the African Growth and Opportunity Act**

**AGENCY:** Office of the United States Trade Representative

**ACTION:** Notice

**SUMMARY:** The United States Trade Representative (USTR) has determined that Guinea and Madagascar have each adopted effective visa systems and related procedures to prevent unlawful transshipment of textile and apparel articles and the use of counterfeit documents in connection with the shipment of such articles and has implemented and follows, or is making substantial progress toward implementing and following, the customs procedures required by the African Growth and Opportunity Act (AGOA). Therefore, as specified in this notice, imports of eligible products from Guinea and Madagascar qualify for the textile and apparel benefits provided for under AGOA.

**DATES:** Effective Date: [INSERT Date of Publication IN THE FEDERAL REGISTER]

**FOR FURTHER INFORMATION CONTACT:** Constance Hamilton, Deputy Assistant U.S. Trade Representative for Africa, Office of the United States Trade Representative, at (202) 395-9514.

**SUPPLEMENTARY INFORMATION:** The AGOA (Title I of the Trade and Development Act of 2000, Public Law 106-200, as amended provides preferential tariff treatment for imports of certain textile and apparel products of beneficiary sub-Saharan African countries. The textile and apparel trade benefits under AGOA are available to imports of eligible products from countries that the President designates as “beneficiary sub-Saharan African countries,” provided that these countries: (1) Have adopted an effective visa system and related procedures to prevent

unlawful transshipment of textile and apparel articles and the use of counterfeit documents in connection with shipment of such articles; and (2) have implemented and follow, or are making substantial progress toward implementing and following, certain customs procedures that assist the Customs Service in verifying the origin of the products. In Proclamation 8741 (October 25, 2011) the President designated Guinea as a “beneficiary sub-Saharan Africa country” and proclaimed that, for purposes of section 112(c) of the AGOA, Guinea shall be considered a lesser developed beneficiary sub-Saharan African country. In Proclamation 9145 (June 26, 2014), the President similarly designated Madagascar as a “beneficiary sub-Saharan Africa country” and, for purposes of section 112(c) of the AGOA, shall be considered a lesser developed beneficiary sub-Saharan African country.

In Proclamation 7350 (October 2, 2000), the President authorized the USTR to perform the function of determining whether eligible sub-Saharan beneficiary countries have met the two requirements described above. The President directed the USTR to announce any such determinations in the Federal Register and to implement them through modifications to the Harmonized Tariff Schedule of the United States (HTS). Based on actions that both Guinea and Madagascar have taken, I have determined that each country has satisfied these two requirements. Accordingly, pursuant to the authority assigned to the USTR in Proclamation 7350, U.S. note 7(a) to subchapter II of chapter 98 of the HTS, and U.S. notes 1 and 2(d) to subchapter XIX of the HTS are modified by inserting “Guinea” and “Madagascar” in alphabetical sequence in the list of countries. The foregoing modifications to the HTS are effective with respect to articles entered, or withdrawn from warehouse for consumption, on the date of publication. Importers claiming preferential tariff treatment under the AGOA for entries of

textile and apparel articles should ensure that those entries meet the applicable visa requirements.

See Visa Requirements Under the African Growth and Opportunity Act, 66 FR 7837 (2001).

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**Michael B.G. Froman,**

**United States Trade Representative.**

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