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EXPORT OF HANDLOOMED TEXTILES AND FOLKLORIC ARTICLES

*A GUIDE FOR OBTAINING CATEGORY 9 CERTIFICATION AS
REQUIRED BY THE AFRICAN GROWTH AND OPPORTUNITY
ACT (AGOA)*

UPDATED TO INCLUDE TEXTILE PROVISIONS OF AGOA III

WATH Technical Report No. 9

APRIL 2005

This publication was produced for review by the United States Agency for International Development. It was prepared by Philip Mensah and Emily Miller for WATH.

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DISCLAIMER

The authors' views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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1. INTRODUCTION

Exporting handloomed fabrics to the United States under AGOA requires that the exporting country has an approved Textile Visa system and other measures to protect against illegal product sourcing (referred to as “illegal trans-shipment”). In addition, a Category 9 product approval is required for export of handloomed fabrics, hand-made articles from handloomed fabrics, folkloric articles and ethnic printed fabrics to the US. Each shipment must be accompanied by the paper documentation that the products meet rules of origin requirements: 1) Textile Certificate of Origin, and 2) commercial invoice embossed with a Textile Visa stamp. See ANNEX 1 and 2 of this guide for examples of each.^{1 2}

AGOA provides duty and quota-free benefits for handloomed, handmade or folklore articles made in beneficiary sub-Saharan African countries. In Executive Order 13191, the US President has authorized the Committee for the Implementation of Textile Agreements (CITA)³ after consultation with the Commissioner of Customs and Border Protection (CBP) to consult with beneficiary sub-Saharan African countries and to determine which, if any, particular textile and apparel goods shall be treated as being handloomed, handmade articles from handloomed fabrics, folklore articles or ethnic printed fabrics.⁴ Textile Visa and Category 9 approvals are therefore government-to-government processes and require a series of precise steps and submissions from a country’s Ministry of Trade (or Commerce) to the Chairman of the CITA, in cooperation with the US Department of Homeland Security’s Bureau of Customs and Border Protection.

1.1 Applying for Category 9 Certification

Countries wishing to apply for Category 9 approvals should have already begun the approval process for the Textile Visa – the initial necessary step to become generally eligible for the textile benefits under AGOA. However, countries need not wait for final Visa approval before starting or submitting an application for Category 9 approval. CITA will consider a Category 9 application for approval at the same time as the Textile Visa is under review by the United States Trade Representative (USITR). It must be noted that the *final approval* for Category 9 certification is always preceded by the Textile Visa certification approval.

It is only after a country’s Textile Visa *and* Category 9 applications have been approved that it and its producers and exporters of handloomed fabrics can take full advantage of the AGOA textile benefits.

Under the AGOA Textile Rules of Origin qualifying textile products have been broadly grouped in Categories 1 to 9. Categories 1 to 8 represent mainstream garments of which production is basically industrial in nature. In contrast, Category 9 represents an attempt to encourage exports of small-scale cottage industry, handmade, folklore articles and ethnic printed fabrics. Unless a country has a compelling reason for doing so, garments can more easily be qualified under Category 1 to 5. In the

¹ A Certificate of Origin is normally available from the national chamber of commerce or the ministry of trade, while the commercial invoice is prepared by the freight forwarding company and/or exporter and affixed with a Textile Visa by the customs office of the exporting country.

² All documents and pictures used throughout this guide are used with permission of the source and are for illustrative purposes only.

³ CITA is made up of five US federal agencies and is chaired by the US Department of Commerce.

⁴ AGOA III now qualifies certain ethnic printed fabrics made in US or sub-Saharan Africa eligible for the same trade benefits.

case of Category 9, it can be difficult to provide the historical and cultural documentation required to place a garment under Category 9.

In all cases, the requirement for certification and accompanying documentation by the approving authorities of the United States Government (USG) must be met. It is the responsibility of the Ministry of Trade in the AGOA eligible country, not the USG, to submit the necessary documents to CITA.⁵

⁵ The Ministry of Trade of countries eligible under AGOA may request a “*Note Verbale*” (a diplomatic note) from the Economic or Political counselor at the US Embassy or Consulate in the applicant country (see ANNEX 3.) The *Note Verbale* sets out instructions for AGOA countries on how to apply for Category 9.

2. STEPS FOR SECURING CATEGORY 9 CERTIFICATION

2.1 Step 1: The product list

The careful development of a candidate product list is the first step towards Category 9 certification. Such products may have already been produced and marketed. The four subcategories under Group 9-I from which product selection will be made are 1) handloomed fabrics, 2) handmade textile articles of handloomed fabric, 3) folklore articles, and 4) ethnic printed fabric of a beneficiary sub-Saharan African country. Examples are given below of each:

1) Handloomed fabrics (Category 9-I-(a)) such as Mali Bogolon (mud cloth), Ghana Kente and Adinkra cloth, or Sierra Leone Ronko cloth.



Kente Cloth from Ghana

Kente is made by the Ewe and Asante peoples of Ghana and is a well-known African textile. Kente comes from the word “kenten” which means “basket”.

2) Handmade articles from handloomed fabric (Category 9-I (b)) such as garments, purses and hats.



3) Folkloric articles (Category 9-I-(c)) such as the “arkilla”, a traditional handloomed wedding blanket of the Fulani people of Mali, Niger, and other countries. The article need not be handloomed to receive approval as “folklore”. Folkloric articles are generally apparel, apparel accessories or decorative furnishings. The shape and design and use of traditional folkloric articles must be traditionally and historically from the submitting country. The items may not be composed of modern features such as zippers and elastic, elasticized fabric, hook-and-pile fasteners or Velcro. Modern designs or motifs such as an airplane are also prohibited under this subcategory. Each item must be uniquely traditional and historical in nature. Below is a photograph and accompanying text for the Hunter’s Shirt, Bamanan, a Mali folkloric article.



Musée National du Mali

Traditional hunter’s tunic

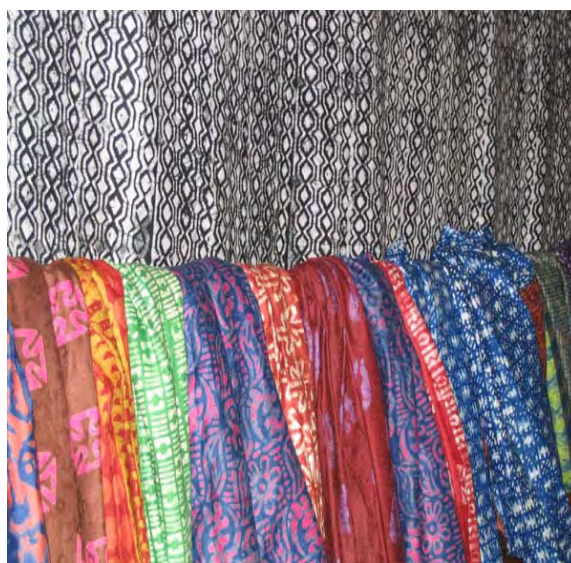
Hunter’s Shirt, 160 × 85 cm. Cotton, hand-spun in natural dye. 1978 Bogolan craftwork. Cotton fringes.

The hunter kills wild animal and therefore needs protection of amulets. The colors serve as camouflage. As it is a very personal article of clothing, each shirt is unique. They cannot be bought in the marketplace, nor given as presents. Hunters’ shirts have in common the pieces sewn on them: amulets, animals’ teeth, shells, leather fringe, little mirrors set in leather, etc. The objects are intended to protect the hunter from the revenge of the animal they have killed. (Source: John Gillow, African Textiles).

4) Ethnic Printed Fabrics, added under AGOA III, (Category 9-I-(d)) are fabrics certified as such by a competent authority of a beneficiary country containing a selvedge on both edges having a width of less than 50 inches and classifiable under subheadings 5208.52.30 or 5208.52.40 of the US Harmonized Tariff Schedule. The fabric must be of the type that contains designs, symbols and other characteristics of African prints normally produced for and sold on the indigenous African market and normally sold by the piece. The fabric must be printed (this can include waxed) in one or more eligible beneficiary sub-Saharan African countries and formed in the US from yarns formed in the US or fabrics formed in one or more beneficiary sub-Saharan African countries from yarn originating in either the US or in one or more beneficiary sub-Saharan African country. See ANNEX 5 for Frequently Asked Questions to CITA on this latest product category.



Ghana ethnic printed fabrics



Ghana hand applied batiks

A country has a choice to apply for approval for any number or combination of the four Category 9 subcategories. In order to reduce the unnecessary tedium of having to renegotiate the inclusion of additional products, the country should focus on selecting and completing the documentation on the **primary products** targeted for export to the US. Conversely, we do not recommend that the process be unduly extended until all possible products are identified. This may slow down the Category 9 certification process considerably.

2.2 Step 2: Description of the articles/products selected

All selected articles must be described in detail. Folkloric items **must** have historical references. For all other articles under Category 9, it is also useful to give historical or contemporary authoritative references if they are available.

A sample description is given below of a Ghana-made Adinkra handloomed fabric that will be exported under Category 9-I-(c). Since it is being submitted as a folkloric article it requires an authoritative reference (the source given below is for illustrative purposes only). A copy of the relevant section of the original reference source(s) should be included in the submission in either an electronic format or a photocopy. If the reference is in a language other than English, a translation into English will expedite the submission process and is highly recommended.

Adinkra (cloth) is made of handloomed fabric, usually about 4 to 6 inches wide and 3 yards long. The cotton fabric is usually plain white or brown and woven on a traditional handloom. An Adinkra is a fabric that is draped around the body. The standard length is 6 yards for women and 12 yards for men. Adinkra is usually dyed a single color with vegetable dyes (see photograph number 3).

*Source: Ross, Doran H. **Wrapped in Pride: Ghanaian Kente and African American Identity**, UCLA Fowler Museum of Cultural History, Los Angeles, CA, USA, 1998, pages 46-48, 92-101.*

The required article and product descriptions must be matched by a corresponding sample. In the case of handloomed fabrics that will be sold and used as fabric, samples need only be large enough to clearly show the repeat of the textile pattern.

The product descriptions, which make up a “catalog” when assembled with others, should include the following:

- Product name: (e.g. blanket.) Where it is being presented as a handmade product it must include a brief description of how it was manufactured;
- Fabric: (e.g. strip cotton made of several bands, handloomed);
- Fiber(s): (e.g. cotton, yarn dyed);
- Dimensions: (e.g. 98 inches by 67 inches, may vary);
- Pattern: (e.g. varied stripe, aligned to form a checkerboard appearance);
- Colors: (e.g. vary, but often red, gold and black).

2.3 Step 3: Samples

All samples and their descriptions should be numbered for easy reference. They must be documented as samples but they need not be perforated or permanently marked directly on the article. Samples and their corresponding descriptions should be sent to the address below through the Economic Counselor of the US Embassy within country or through the diplomatic pouch of the Ministry of Foreign Affairs of the applicant country:

Chairman, Committee for the Implementation of Textile Agreements
Room 3001, United States Department of Commerce
14th and Constitution Avenue, N10, Washington DC 20230
Tel: (202) 482-3400 Fax: (202) 482-0858

2.4 Step 4: Pictures

Conventional or digital photographs (the latter may be captured on a storage device or electronically mailed) and/or high-quality hand-drawn illustrations of the products and their production process are encouraged in the submission package, *e.g. women or men wearing an outfit or weaving a textile product*. Care must be taken to ensure that the pictures/illustrations are indexed and correspond perfectly with the written product description. See the following examples:



A Ghanaian man wearing a colorful Kente cloth



Poncho made of Mali Bogolon



*Short tunic of Sierra Leone
Ronko cloth*

2.5 Step 5: Designation of contact person(s)

The Category 9 certification process involves ongoing dialogue and consultation between CITA in Washington DC and a “competent authority” of the government. The competent authority is previously designated in a country’s Textile Visa Arrangement.⁶

A key to overall success and expediency of the Category 9 application is the designation of a contact person within the responsible Ministry (normally Trade) who has adequate knowledge of the issues at stake and the processes being followed. This person should be in regular contact with the US Department of Commerce, the applicant country’s embassy within the US, and the US Economic Counselor posted in the applicant country.

Follow-up questions of from CITA are likely after review of the initial submission and require a fully functioning fax machine, telephone and e-mail to reach the contact person. This person should have a personal commitment and the necessary drive to ensure speedy approval of the Category 9 submission. A secondary designated person constitutes an additional advantage.

2.6 Step 6: Cover letter and text

The product listing must be accompanied by a cover letter to the Chairman of CITA. The contents of the letter should include a commitment to adhere to the Textile Agreement and a summary of the list of products. The trade minister or an accredited representative normally signs the cover letter. A sample cover letter is attached as ANNEX 4.

⁶ The Textile Visa Arrangement is the legal procedure approved by USTR to AGOA eligible countries.

2.7 Step 7: Recheck one last time

The responsible official must personally and painstakingly crosscheck to ensure that all the required documentation has been included and that the submission is professional looking in its samples, descriptions, photographs and indexing of support materials, and provides all of the necessary contact information. The first impression is often the strongest and it is best to begin the application process in the most favorable light. A regular dialogue should be maintained between all of the key governmental officials.

3. ADDITIONAL SUPPORT

Please contact the authors of this guide if you any unanswered questions. Contact details are:

Mr. Philip Mensah
Customs Consultant
West Africa Trade Hub
C/o USAID
P.O. Box 1630
Accra, Ghana
Mobile tel: +233 20 815 7230
Office fax:: +233 21 782 231
Email address: pmensah@watradehum.com

Ms. Emily Miller
AGOA Support Services Advisor
West Africa Trade Hub
C/o USAID P.O. Box 1630
Accra, Ghana
Office tel: +233 21 782 233
Office fax:: +233 21 782 231
Email address: emiller@watradehub.com

Mr. Omar Touré
Coordinator, AGOA Resource Centers
West Africa Trade Hub
C/o USAID P.O Box 1630
Accra, Ghana
Office tel: +233 21 782 233
Office fax : +233 21 782 231
Email address: otoure@watradehub.com

The program officer responsible for handling Category 9 submissions at the US Department of Commerce may also be contacted:

Ms. Anna Flaaten
US Department of Commerce
Office of Textiles and Apparel
1401 Constitution Ave, NW
Washington, DC 20230
Tel: (202) 482 3400
Fax: (202) 482 0858
Email address: anna_flaaten@ita.doc.gov

ANNEX 1 CERTIFICATE OF ORIGIN (REPUBLIC OF GHANA)



REPUBLIC OF GHANA

**African Growth and Opportunity Act
Textile Certificate of Origin**

TKD 1517

1. Exporter Name and Address:		3. Importer Name and Address:	
2. Producer Name and Address:		4. Preference Group:	
5. Description of Article:			
Group	Each description below is only a summary of the cited CFR provision	CFR	
1-A	Apparel assembled from U.S. fabrics and/or knit-to-shape comp, from U.S. yarns. All fabric must be cut in the United States	10.213(a)(1)	
2-B	Apparel assembled from U.S. fabrics and/or knit-to-shape components, from U.S. yarns. All fabric must be cut in the United States. After assembly, the Apparel is embroidered or subject to stone-washing, enzyme-washing, acid Washing, perma-pressing, oven-baking, bleaching, garment-dyeing, screen Printing, or other similar processes.	10.213(a)(2)	
3-B	Apparel assembled from U.S. fabrics and/or knit-to-shape components, and/or U.S. and beneficiary country knit-to-shape components, from U.S. yarns and sewing thread. The U.S. fabrics may be cut in beneficiary countries or in beneficiary countries and United States.	10.213(a)(3) or 10.213(a)(11)	
4-D	Apparel assembled from beneficiary country fabrics and/or knit-to-shape components, from yarns originating in the United States and/or one or more beneficiary countries.	10.213(a)(4)	
5-E	Apparel assembled or knit-to-shape and assembled, or both, in one or more lesser developed beneficiary countries regardless of the country of origin of the fabric or the yarn used to make such articles.	10.213(a)(5)	
6-F	Knit-to-shape sweaters in chief weight of cashmere	10.213(a)(6)	
7-G	Knit-to-shape sweaters 50 percent or more by weight of wool measuring 21.5 microns in diameter or finer	10.213(a)(7)	
8-H	Apparel assembled from fabrics or yarns considered in short supply in the NAFTA, or designated as not available in commercial quantities in the United States	10.213(a)(8) or 10.213(a)(9)	
9-I	Handloomed fabrics, handmade articles made of handloomed fabrics, or textile folklore articles – as defined in bilateral consultations.	10.213(a)(10)	
6. U.S./African Fabric Producer Name and Address:		7. U.S./African Yarn Producer Name and Address:	
		8. U.S. Thread Producer Name Address:	
9. Handloomed, Handmade, or Folklore Article:		10. Name of Short Supply or Designated Fabric or Yarn	

I certify that the information on this document is complete and accurate and I assume the responsibility for proving such representations. I understand that I am liable for any false statements or material omissions made on or in connection with this document. I agree to maintain, and present upon request, documentation necessary to support this certificate.

11. Authorized Signature:		12. Company:	
13. Name: (Print or Type)		14. Title:	
15. Date: (DD/MM/YY)	16. Blanket Period From: To:	17. Telephone: Facsimile:	E-mail:

Form: C 71

ANNEX 2 COMMERCIAL INVOICE WITH VISA STAMP

[REDACTED]

LESOTHO

663/01

INVOICE

NO. E104/01
 FOR ACCOUNT AND RISK OF MESSRS.
 [REDACTED]
 [REDACTED]
 [REDACTED]

DATE MAY 14, 2001
 VESSEL LOBIVIA N001
 SAILING DATE MAY 16, 2001
 DEST: LOS ANGELES
 L/C NO.

DESCRIPTION	QUANTITY	UNIT/PRC	AMOUNT
			FOB LESOTHO
LADIES 3/4-17/18 98% COTTON 2% SPANDEX 3/1 TWILL STONE STRETCH CAPRI JEANS. STYLE NO. 6731	1270.00	DZ USD 73.80	USD 93,726.00
LADIES 3/4-17/18 98% COTTON 2% SPANDEX 3/1 TWILL MOOD INDIGO STRETCHCAPRI JEANS. STYLE NO. 6732	340.00	DZ USD 73.80	USD 25,092.00
LADIES 3/4-17/18 98% COTTON 2% SPANDEX 3/1 TWILL IND STRETCH DNM CAPRI JEANS. STYLE NO. 6733	290.00	DZ USD 73.80	USD 21,402.00
	1900.00	DZ www www	USD 140,220.00 www wwwwww

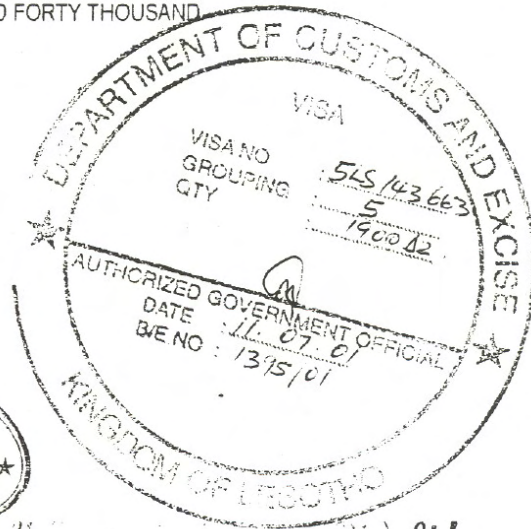
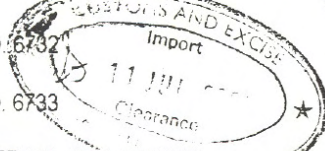
SAY TOTAL US DOLLARS ONE HUNDRED FORTY THOUSAND TWO HUNDRED TWENTY ONLY.

SHIPPING MARK:



MADE IN LESOTHO

-DO-
 STYLE NO. 6732
 -DO-
 STYLE NO. 6733



CONTAINER NO. SEAU8465332
 SEAL NO. ML-ZA0236433
 TOTAL 1,900 CTNS
 G.WT. 15,270.30 KGS
 MEAS. 61.26 CBM

Belet

ANNEX 3 NOTE VERBALE

THE U.S. HAS THE HONOR TO REFER TO THE AFRICAN GROWTH AND OPPORTUNITY ACT (AGOA). SECTION 112(B)(6) OF THE AGOA PROVIDES FOR THE DUTY-FREE TREATMENT OF HAND LOOMED, HANDMADE, OR FOLKLORE GOODS OF A BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY THAT ARE CERTIFIED AS SUCH BY THE AUTHORITIES OF THE COUNTRY. IT ALSO REQUIRES THE UNITED STATES TO DETERMINE WHICH, IF ANY, PARTICULAR TEXTILE AND APPAREL GOODS SHALL BE TREATED AS HAND LOOMED, HANDMADE, OR FOLKLORE GOODS, AFTER CONSULTATIONS WITH THE BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY CONCERNED.

IN EXECUTIVE ORDER 13191 (JANUARY 17, 2001), THE PRESIDENT DELEGATED THE RESPONSIBILITY FOR IMPLEMENTING THIS ASPECT OF THE LEGISLATION TO THE COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS (CITA), CHAIRED BY THE DEPARTMENT OF COMMERCE. JAMES C. LEONARD, III IS CHAIRMAN, COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS AT THE DEPARTMENT OF COMMERCE.

IN ORDER TO DETERMINE WHICH ARTICLES OF YOUR COUNTRY ARE ELIGIBLE FOR PREFERENTIAL TREATMENT UNDER THIS PROVISION, THE AGOA CALLS FOR CONSULTATIONS BETWEEN OUR GOVERNMENTS. CITA IS PREPARED TO INVITE REPRESENTATIVES OF YOUR GOVERNMENT TO SUCH CONSULTATIONS.

TO ALLOW US TO PROPERLY PREPARE FOR THE CONSULTATIONS, WE REQUEST THAT YOU PROVIDE CITA, PRIOR TO THE CONSULTATION, A LIST OF PRODUCTS YOUR GOVERNMENT PROPOSES FOR DESIGNATION, WITH DETAILED DESCRIPTIONS AND SAMPLES OF EACH FOLKLORE PRODUCT. IF POSSIBLE, IT WOULD BE USEFUL TO HAVE FOR REVIEW A REPRESENTATIVE SAMPLE OF A HANDLOOMED FABRIC.

ELIGIBLE GOODS MUST BE EITHER (A) HAND LOOMED FABRICS; (B) HANDMADE GOODS MADE OF SUCH HAND LOOMED FABRICS; OR (C) TRADITIONAL FOLKLORE GOODS. EACH ITEM OF FOLKLORE SHOULD INCLUDE THE FOLKLORE ARTICLE'S NAME AS WELL AS A DETAILED DESCRIPTION OF THE ARTICLE. THE COMPREHENSIVE DESCRIPTION SHOULD INCLUDE THE SIZE, DIMENSION, SHAPE, PATTERN, COLOR AND/OR ANY OTHER SPECIFIC WAYS OF IDENTIFYING THE PRODUCT AS A TRADITIONAL FOLKLORE GOOD OF THAT COUNTRY/REGION AND ALSO INCLUDING HISTORICAL ASPECTS AND USAGE. AN EXAMPLE OF DESCRIPTIONS AND QUALIFYING PRODUCTS FROM GHANA MAY BE FOUND ON OUR WEBSITE, [HTTP://OTEXA.ITA.DOC.GOV](http://OTEXA.ITA.DOC.GOV) UNDER FEDERAL REGISTER NOTICES. CLICK ON "DETERMINATION UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT" POSTED ON SEPTEMBER 15, 2003.

"FOLKLORE ARTICLES" ARE GENERALLY APPAREL, APPAREL ACCESSORIES OR DECORATIVE FURNISHINGS. THIS PART OF THE PROVISION IS LIMITED AND IS INTENDED TO BENEFIT PRODUCERS MAKING UNIQUELY TRADITIONAL AND HISTORICAL FOLKLORE GOODS. THE SHAPE AND DESIGN OF TRADITIONAL FOLKLORE ARTICLES MUST BE TRADITIONALLY AND HISTORICALLY FROM THAT COUNTRY/REGION. THE ITEMS MAY NOT INCLUDE "MODERN" FEATURES SUCH AS ZIPPERS, ELASTIC, ELASTICIZED FABRIC, HOOK-AND-PILE FASTENERS (SUCH AS "VELCRO"© OR SIMILAR HOLDING FABRIC). AS EACH ITEM'S DESIGN MUST BE UNIQUELY TRADITIONAL AND HISTORICAL IN NATURE, PATTERNS SUCH AS AIRPLANES, BUSES, COWBOYS, CARTOON CHARACTERS AND HOLIDAY/FESTIVAL DESIGNS NOT COMMON TO SUB-SAHARAN AFRICAN CULTURE, SUCH AS HALLOWEEN AND THANKSGIVING, WOULD NOT BE PERMITTED.

THE LIST OF DESCRIPTIONS AND SAMPLES SHOULD BE SENT TO CHAIRMAN, COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS, ROOM 3001, U.S. DEPARTMENT OF COMMERCE, 14TH AND CONSTITUTION AVE., WASHINGTON, D.C. 20230. THE DEPARTMENT OF COMMERCE STANDS READY TO ASSIST YOU SHOULD YOUR RESPONSIBLE GOVERNMENT OFFICIALS HAVE ANY QUESTIONS. QUESTIONS MAY BE POSED DIRECTLY TO THE DEPARTMENT OF COMMERCE AT THE WASHINGTON D.C. TELEPHONE NUMBER (202) 482-3400.

ANNEX 4 SAMPLE COVER LETTER AND TABLE OF CONTENTS (GOVERNMENT OF SIERRA LEONE)



Tel: (232-22) 222755
Fax: (232-22) 235575

MINISTER
Ministry of Trade and Industry
6th Floor, Youyi Building
Brookfields
Freetown
7th October, 2004

The Chairman
Committee for the Implementation of
Textile Agreements
Room 3001
United States Department of Commerce
14th and Constitution Avenue, NIO
Washington DC 20230
U.S.A.

Dear Sir,

**RE: APPLICATION FOR OBTAINING CATEGORY 9 CERTIFICATION FOR THE
EXPORT OF HAND-WOVEN TEXTILES AND FOLKLORE ARTICLES AS REQUIRED
BY THE AFRICAN GROWTH AND OPPORTUNITY ACT (AGOA)**

In Compliance with application for obtaining a category 9 certification under the African Growth and Opportunity Act (AGOA), we submit herein, Sierra Leone's application for textile products under grouping 9 (a) – (c) inclusive.

This application covers Hand-Woven textiles and Folkloric Articles summarized as follows:

- (A) HAND WOVEN TEXTILES
- (B) HAND-MADE ARTICLES FROM HAND-LOOMED FABRIC
- (C) FOLKLORE ARTICLES (RONKO, COTTON PRINTS, KABASLOT, ETHNIC FOOTWEAR)

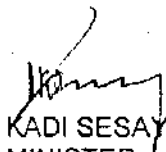
In support of our application, please find enclosed the following:

1. A List of selected products
2. Photographs of selected products
3. Samples of selected products
4. Description of the Articles products selected
5. Historical references of Folkloric articles and copies of reference literature
6. Electronic copy of photographs of selected products

An AGOA Secretariat has been established within my Ministry, which coordinates all aspects relating to the AGOA. Alhaji Abu Bakari Kebbay is the designated Officer in charge of this Secretariat to whom AGOA correspondences may be addressed.

Let me take this opportunity once again on behalf of the Government of Sierra Leone and on my own personal behalf to extend our thanks and appreciation to the Government of the United States for the cooperation and support we have received on AGOA matters. In addition, I want to re-confirm the Government of Sierra Leone's commitment to adhere to the Textile Agreement under the AGOA.

I look forward to your usual prompt response.


KADI SESAY (DR.)
MINISTER

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LIST OF ABBREVIATIONS

SL/CC/F	- SIERRA LEONE COUNTRY CLOTH "FABRIC"
SL/CC/BK/1	- SIERRA LEONE COUNTRY CLOTH "BLANKET"
SL/CC/S	- SIERRA LEONE COUNTRY CLOTH "SMOCKS"
SL/CC/M	- SIERRA LEONE COUNTRY CLOTH "MIDI DRESS"
SL/CC/SC	- SIERRA LEONE COUNTRY CLOTH "SCARVES/SHAWLS"
SL/CC/RK	- SIERRA LEONE COUNTRY CLOTH "RONKO"
SL/CP	- SIERRA LEONE "COTTON PRINTS"
SL/KBS	- SIERRA LEONE "KABASLOT"
SL/MS	- SIERRA LEONE "MARKING STEPPLES"

ANNEX 5 FREQUENTLY ASKED QUESTIONS AND GUIDANCE ON ETHNIC PRINTED FABRICS⁷

1. General Requirements:

Ethnic-printed fabric must meet all of the criteria listed below and is subject to government-to-government consultations:

- A) selvedge on both edges
- B) width of less than 50 inches
- C) classifiable under subheading 5208.52.30⁸ or 5208.32.40⁹ of the Harmonized Tariff Schedule of the United States
- D) contains designs, symbols, and other characteristics of African prints normally produced for and sold in Africa by the piece
- E) made from fabric woven in the US using US yarn or woven in one or more eligible sub-Saharan beneficiary countries using US or African yarn
- F) printed, including waxed in one or more eligible sub-Saharan beneficiary countries.

2. Frequently Asked Questions

1. Are fabrics printed or dyed with abstract designs found in batik or tie dyed fabrics included or excluded (e.g. forms and patterns that are common in the local market but not necessarily traditional to the local culture)?

All criteria above must be met, i.e. fabric must fall under cited HTS (Harmonized Tariff Schedule) numbers as a plain-weave cotton, have characteristics of African prints, produced for and sold on the indigenous African market by the piece, printed (including waxed), and must be made in the U.S. or eligible sub-Saharan African countries. The legislation does not provide for “dyed” or “tie-dyed” fabrics, only printed, including waxed. This is an important distinction.

2. Is industrially wax-printed fabric such as that produced by a major wax industrial scale manufacturer (e.g. Woodin) included or excluded? The patterns vary widely. Some include designs inspired by traditional local culture. Many are contemporary adaptations or totally modern with no base in local culture.

Industrially wax-printed fabrics are acceptable; however, all patterns must be approved.

3. Is any distinction made between printing methods (e.g. batik) used for the qualifying fabrics?

No, no distinction is made between printing methods. This provision does not cover dyed fabric.

4. Does it matter whether the printing is done by hand or industrially on automated machines?

No, no distinction between hand- and industrially- printed goods.

⁷ Based on email communication between Emily Miller of WATH and Anna Flaaten of CITA, August 2004.

⁸ Printed plain weave fabrics of cotton, 85% or more cotton by weight, weighing over 100g/m² but not more than 200 g/m², of yarn number 42 or lower, of poplin or broadcloth, sheeting or cheesecloth weaves.

⁹ Printed plain weave fabrics of cotton, 85% or more cotton by weight, weighing over 100g/m² but not more than 200g/m², of numbers 43-68, of poplin or broadcloth, sheeting or cheesecloth weaves.

5. Are we correct in understanding that the base fabric (substrate) may be industrially manufactured (machine woven vs. handloomed)?

Yes, the substrate may be industrially manufactured (i.e. fabric must be woven in the US or Africa from U.S. or African yarn).

6. Are the same fabrics in continuous roll form (not cut into “pagne” length for individual retail sale as they are normally sold in the African markets) included or excluded?

Provided they meet all of the general requirements, they can be in continuous roll form –however, they are normally sold in Africa on the indigenous market by the piece.

7. Will those countries now in the process of applying for a Category 9 certificate simply add to the existing application in process? Is there any particular format to follow for a country to amend its current Category 9 coverage?

Countries may add additional ethnic printed fabrics to submissions or resubmit ethnic printed fabrics to amend existing Category 9 coverage. As is true during other Category 9 consultations, specific information on the historical relevance and above criteria must be provided. Digital photographs will help to expedite the approval process.