

# Aplicación de las Reglas de Origen para Textiles y Vestido

Abril 2013

**Lima, Perú**

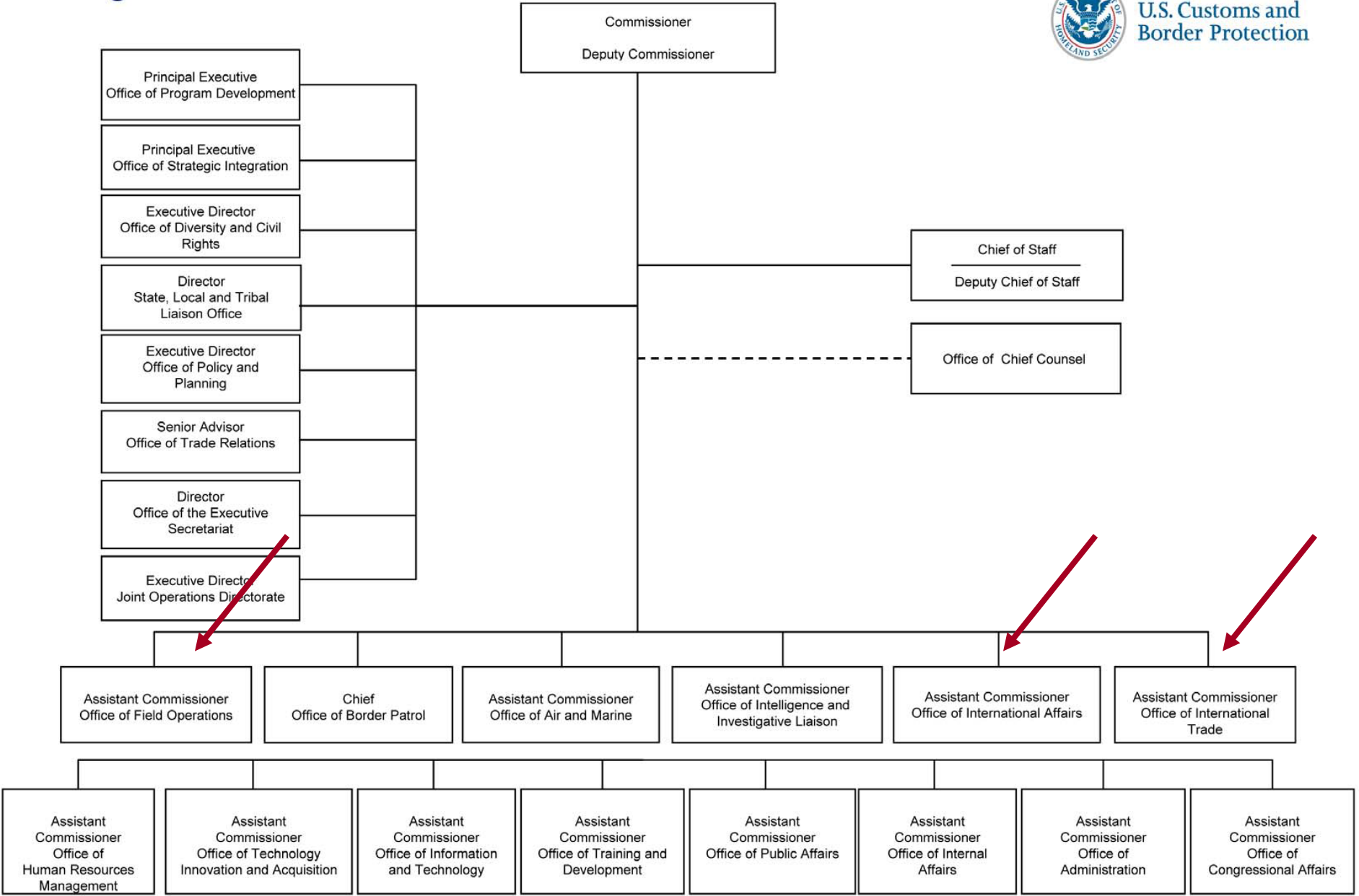


**U.S. Customs and  
Border Protection**

# CBP Organization Chart



U.S. Customs and  
Border Protection



12/11/2011



## Trade

[Automated Systems and Operational Support](#)[Basic Importing and Exporting](#)[Cargo Security](#)[Legal Decisions/Publications](#)[Priority Trade Issues](#)[Quicklinks](#)[Trade Outreach](#)[Trade Programs](#)

Report  
Suspicious Activity to  
**1-800-BE-ALERT**



**What's New**  
*in Trade*

## Trade

U.S. Customs and Border Protection will facilitate about \$2 trillion in legitimate trade this year while enforcing U.S. trade laws that protect the economy, the health and the safety of the American people. We accomplish this through close partnerships with the trade community, other government agencies and foreign governments.



### CBP Trade Symposium 2011 Launches

Two-day Lineup Includes Key Business, Government Leaders

1 | 2 | 3 | 4 | 5

### Resources

[CBP Unified Business Resumption Messaging](#)[Locate a Port Of Entry - Air, Land, or Sea](#)[Forms](#)[Trade Support Network](#)[Report Trade Allegations \(e-Allegations\)](#)

### References

[Trade News](#)[Trade Publications](#)[Federal Register Notices 2011 - GPO Access](#)[CROSS](#)[2010 HTS by Chapter](#)

# CBP Prioridades de Comercio -Textiles

- Las importaciones hacia EE.UU. de bienes textiles y del vestido Total **\$115** mil millones
- Representan aproximadamente el **43%** de todos los derechos percibidos
- Industria clave para la economía de EE.UU.
- Altamente regulado y legislado  
TLC (**17%** de importaciones de textiles y prendas de vestir una reivindicación Indiferente)
- Industria clave para los Tratados de Libre Comercio
- Industria clave para la Política Comercial de la Administración
- Industria clave para la Legislación del Congreso



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# Perspectiva general de las importaciones de prendas de vestir de EE. UU.

Proveedores principales de prendas de vestir al mercado de EE. UU. cantidad y valor

*Fuente: OTEXA, doce meses con finalización en febril 2013*

| <u>País</u> | <u>por cantidad</u>               |                 | <u>por valor</u>                  |                 |
|-------------|-----------------------------------|-----------------|-----------------------------------|-----------------|
|             | <u>% participación de mercado</u> | <u>Posición</u> | <u>% participación de mercado</u> | <u>Posición</u> |
| <b>Perú</b> | <b>0.26</b>                       | <b>25</b>       | <b>0.79</b>                       | <b>21</b>       |
| China       | 42.21                             | 1               | 38.14                             | 1               |
| Vietnam     | 9.20                              | 2               | 9.40                              | 2               |
| Bangladesh  | 6.42                              | 3               | 5.83                              | 4               |
| Indonesia   | 5.31                              | 4               | 6.44                              | 3               |
| Honduras    | 4.60                              | 5               | 3.29                              | 7               |
| Camboya     | 4.32                              | 6               | 3.24                              | 8               |
| México      | 3.73                              | 7               | 4.74                              | 5               |
| India       | 3.42                              | 8               | 3.87                              | 6               |
| El Salvador | 3.26                              | 9               | 2.37                              | 9               |
| Pakistán    | 2.42                              | 10              | 1.92                              | 10              |



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Border Protection

Reglas

Regulaciones

Responsabilidades



U.S. Customs and  
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# Entendiendo las reglas del Perú TPA para productos textiles y prendas de vestir

- Aplicación de los conceptos legales de “Responsabilidad compartida,” “Informes de cumplimiento,” y “Cuidado razonable,” al importadores
- Haciendo un reclamo de tratamiento preferencial bajo Perú TPA, los registros del importador son presentados a CBP, ellos CONOCEN, ENTIENDEN y REUNEN las reglas preferenciales
- Documentos especiales no son requeridos para los propósitos de ingreso
- Si preguntan, los registros del importadores tiene que justificar o demostrar que el reclamo es válido



# Entendiendo las reglas del Perú TPA para productos textiles y prendas de vestir

- Recursos oficiales (Gobierno de EE. UU.)
  - Sistema Armonizado de Códigos Arancelarios (HTS) de Estados Unidos
  - Código de Regulaciones Federales (CFR) de EE. UU.
  - Recursos de Aduanas y Control de Fronteras de EE. UU.(CBP):
    - Sistema de investigación de resoluciones aduaneras en línea (CROSS)
    - Publicaciones de cumplimiento informado
    - TBT (barreras técnicas al comercio) y QBT
  - Datos de comercio de EE. UU.:
    - Oficina de Textiles e del Vestido (OTEXA), Departamento de Comercio de EE. UU.
    - Sitio de datos (DataWeb) de la Comisión de Comercio Internacional de EE. UU. (USITC)



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# Recursos oficiales (Gobierno de EE. UU.)

## Harmonized Tariff Schedule of the United States (HTS)

## Sistema Armonizado de Códigos Arancelarios (HTS) de Estados Unidos

United States International Trade Commission

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USITC Home > Tariff > HTS > By Chapter > By Chapter of HTS: 2012-01-01 - Preliminary, Official Harmonized Tariff Schedule of the United States Annotated

**Contact Us & FAQs**  
Director:  
Dave Beck  
202.205.2593  
• HTS Help  
• Frequently Asked Questions

**Tariff Assistance**  
Search the current Harmonized Tariff Schedule...  
Search hts.usitc.gov Go  
View...  
Current HTS by Chapter  
HTS Archive  
Need Help?  
Frequently Asked Questions  
Ask Us a Tariff Question

**Research Tools**  
• HTS Archive  
• U.S. Classification  
Rulings (Customs and Border Protection)

**By Chapter, Harmonized Tariff Schedule of the United States**  
This 2012 version of the HTS is Preliminary only and will not be printed. Further changes have occurred due to Presidential Proclamations. Although not final, the draft international changes to the HTS nomenclature can be seen here with the filename format '12XXC'. The Official Basic 2012 HTS with the new nomenclature will appear 30 days after the Presidential Proclamation appears in the Federal Register. The printed 2012 HTS will be available from the Government Printing Office.  
This page contains the chapter-by-chapter listing of the Harmonized Tariff Schedule and general notes. The links below correspond to the various sections in the Table of Contents for the Harmonized Tariff Schedule. Clicking on a link will load the corresponding Adobe pdf file.  
(Note: Section notes, if any, are attached to the first chapter of each section. "Page down" to view chapter after selecting.)  
Cover  
Change Record  
Preface  
General Notes; General Rules of Interpretation; General Statistical Notes  
Notice to Exporters  
Section I: Live Animals; Animal Products  
Section Notes  
Chapter 1 Live animals  
Chapter 2 Meat and edible meat offal  
Chapter 3 Fish and crustaceans, molluscs and other aquatic invertebrates  
Section XXII: Special Classification Provisions; Temporary Legislation; Temporary Modifications Proclaimed pursuant to Trade Agreements Legislation; Additional Import Restrictions Proclaimed Pursuant to Section 22 of the Agricultural Adjustment Act, As Amended  
Chapter 98 Special classification provisions  
Chapter 99 Temporary legislation; temporary modifications proclaimed pursuant to trade agreements legislation; additional import restrictions proclaimed pursuant to section 22 of the Agricultural Adjustment Act, as amended  
Chemical Appendix to the Tariff Schedule  
Pharmaceutical Appendix to the Tariff Schedule

- Reglas del Perú TPA
- Nota General 32 (GN 32)
- Capito 98
  - Disponibilidad comercial (escaso abastecimiento)
  - Artesanías
- <http://www.usitc.gov>



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# Recursos oficiales (Gobierno de EE. UU.)

## Harmonized Tariff Schedule of the United States (HTS) – GN 32

### Harmonized Tariff Schedule of the United States (2013)

Annotated for Statistical Reporting Purposes

GN p.581

Peru

#### 32. United States-Peru Trade Promotion Agreement Implementation Act.

- (a) Goods for which entry is claimed under the terms of the United States-Peru Trade Promotion Agreement are subject to duty as set forth herein. For the purposes of this note, originating goods or goods described in subdivision (a)(ii), subject to the provisions of subdivisions (b) through (n) of this note, that are imported into the customs territory of the United States and entered under a provision--
- (i) in chapters 1 through 97 of the tariff schedule for which a rate of duty appears in the "Special" subcolumn of column 1 followed by the symbol "PE" in parentheses, or
  - (ii) in chapter 98 or 99 of the tariff schedule where a rate of duty or other treatment is specified,
- are eligible for the tariff treatment and quantitative limitations set forth therein in accordance with sections 201 through 203, inclusive, of the United States-Peru Trade Promotion Agreement Implementation Act (Pub. L. 110-138; 121 Stat. 1455).
- (b) For the purposes of this note, subject to the provisions of subdivisions (c), (d), (m) and (n) thereof, a good imported into the customs territory of the United States is eligible for treatment as an originating good under the terms of this note if--
- (i) the good is a good wholly obtained or produced entirely in the territory of Peru, the United States, or both;
  - (ii) the good was produced entirely in the territory of Peru, the United States, or both, and--
    - (A) each of the nonoriginating materials used in the production of the good undergoes an applicable change in tariff classification specified in subdivision (n) of this note; or
    - (B) the good otherwise satisfies any applicable regional value content or other requirements specified in subdivision (n) of this note;
- and the good satisfies all other applicable requirements of this note; or



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# Recursos oficiales (Gobierno de EE. UU.)

U.S. Code of Federal Regulations (CFR)

Código de Regulaciones Federales (CFR)

**Perú TPA Regulaciones: 19 CFR 10 Subparte Q**

The screenshot shows the GPO's Federal Digital System (FDsys) website. The header includes navigation links: About GPO, Newsroom/Media, Congressional Relations, Inspector General, Careers, Contact, askGPO, and Help. The main banner reads "GPO U.S. GOVERNMENT PRINTING OFFICE | Keeping America Informed". Below the banner, there are links for Home, Customers, Vendors, and Libraries. The left sidebar contains "FDsys: GPO's Federal Digital System" with links to About FDsys, Search Government Publications, Browse Government Publications, and FDsys Tutorials. Below this is a "Related Resources" section with links to "Download the Code of Federal Regulations in XML" and "The Electronic Code of Federal Regulations (e-CFR) is a regularly". The main content area is titled "CODE OF FEDERAL REGULATIONS (ANNUAL EDITION)" and contains a description of the CFR. At the bottom of the main content area, there is a "Choose Year" dropdown menu set to 2012, with a "Go" button next to it. A red arrow points to the "Choose Year" dropdown menu.

<http://www.gpo.gov/fdsys/pkg/CFR-2012-title19-vol1/pdf/CFR-2012-title19-vol1.pdf>

Paginas 360 a 378



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# Recursos oficiales (Gobierno de EE. UU.)

## U.S. Code of Federal Regulations (CFR) – 19 CFR 10 Subparte Q

### § 10.901

#### Subpart Q—United States-Peru Trade Promotion Agreement

SOURCE: 76 FR 68072, Nov. 3, 2011, unless otherwise noted.

##### GENERAL PROVISIONS

#### § 10.901 Scope.

This subpart implements the duty preference and related customs provisions applicable to imported and exported goods under the United States-Peru Trade Promotion Agreement (the PTPA) signed on April 12, 2006, and under the United States-Peru Trade Promotion Agreement Implementation Act (the Act; Pub. L. 110-138, 121 Stat. 1455 (19 U.S.C. 3805 note). Except as otherwise specified in this subpart, the procedures and other requirements set forth in this subpart are in addition to the customs procedures and requirements of general application contained elsewhere in this chapter. Additional provisions implementing certain aspects of the PTPA and the Act are contained in Parts 24, 162, and 163 of this chapter.

#### § 10.902 General definitions.

As used in this subpart, the following terms will have the meanings indicated unless either the context in which they are used requires a different meaning

### 19 CFR Ch. I (4-1-12 Edition)

charge in connection with such importation, but, for purposes of implementing the PTPA, does not include any:

(1) Charge equivalent to an internal tax imposed consistently with Article III:2 of GATT 1994 in respect of like, directly competitive, or substitutable goods of the Party, or in respect of goods from which the imported good has been manufactured or produced in whole or in part;

(2) Antidumping or countervailing duty that is applied pursuant to a Party's domestic law; or

(3) Fee or other charge in connection with importation;

(e) *Customs Valuation Agreement*. “Customs Valuation Agreement” means the *Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994*, which is part of the WTO Agreement;

(f) *Days*. “Days” means calendar days;

(g) *Enterprise*. “Enterprise” means any entity constituted or organized under applicable law, whether or not for profit, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, sole proprietorship, joint venture, or other association;

(h) *GATT 1994*. “GATT 1994” means the *General Agreement on Tariffs and*



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# Recursos oficiales (Gobierno de EE. UU.)

## U.S. Customs and Border Protection Resources

## Recursos de Aduanas y Control de Fronteras de EE. UU.

CROSS Customs Rulings Online Search System - Windows Internet Explorer provided by US Customs & Border Protection

http://rulings.cbp.gov/

U.S. Customs and Border Protection  
Securing America's Borders

CROSS CUSTOMS RULINGS  
ONLINE SEARCH SYSTEM

SEARCH cafta-dr

Collection ALL HQ NY NAFTA Filter OFF 10 results per page View

### About the Customs Rulings Online Search System (CROSS)

CROSS is a searchable database of CBP rulings that can be retrieved based on simple or complex search characteristics using keywords and Boolean operators. CROSS of CROSS referencing rulings from the initial search result set with their modified, revoked or referenced counterparts.

Rulings collections are separated into Headquarters and New York and span the years 1989 to present. Collections can be searched individually or collectively. For more how to use CROSS, please visit the [HELP](#) section.

### What's New

CROSS was last updated 4/21/2010 with 185 rulings, bringing the total number of searchable rulings to 161833. The most recent ruling is dated 4/16/2010.

### Related Trade Information

[Downloadable rulings](#) - downloadable rulings spanning 1990 to present.

[Trade related links](#) - Includes links to the Harmonized Tariff schedule, Customs Bulletins, Informed Compliance, Code of Federal Regulations, and more...

[Customs Valuation Encyclopedia \(1980-2003\)](#) - Download the Customs Valuation Encyclopedia (1980-2003) from the CBP web site.

### Informational Note

Please be aware that not all rulings issued by HQ and NY since 1989 are yet included in the database. They are still being collected and we hope to have 100% inclusion.

To obtain software required to view rulings, please visit the plug-ins page on cbp.gov. [Get Plug-ins](#)

Please submit any technical concerns related to CROSS to [CBP website technical questions](#).

- Sistema de investigación de resoluciones aduaneras en línea (CROSS)
- Guía de clasificación
- Elegibilidad para tratamiento preferencial
  - Perú Trade Promoción Agreement (TPA)
  - Otros tratados de libre comercio
  - Programas preferenciales (AGOA, ATPDEA o CBTPA)
- <http://rulings.cbp.gov>



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# Recursos oficiales (Gobierno de EE. UU.)

## CBP Resources - CROSS

**N191856**

November 10, 2011

CLA-2-55:OT:RR:NC:N3:351

CATEGORY: Classification

TARIFF NO.: 5511.20.0000

Mr. Michael R. Spano Michael R. Spano & Company Incorporated 190 McKee Street Floral Park, NY 11001

RE: The tariff classification and status under the United States-Peru Trade Promotion Agreement Implementation Act (Peru TPAIA), of yarn from Peru.

Dear Mr. Spano:

In your letter dated Nov. 4, 2011, you requested a ruling on the status of yarn from Peru under the Peru TPAIA on behalf of your client, Berroco Inc., of North Smithfield, R.I.

In your letter, submitted electronically, you supplied our office with neither a sample nor a picture of the yarn. However, in a telephone conversation with this office, you stated that it was the same as the yarns in New York Ruling Letter **N190855**. Those yarns had a fiber content of 50% acrylic, 40% wool and 10% nylon and were put up for retail sale in 100-gram skeins, and you stated that this yarn is the same.

According to the terms of Note 2(A) to Section XI, Harmonized Tariff Schedule of the United States (HTSUS), the yarn is considered a man-made staple fiber yarn; specifically, it is considered to be 60% man-made staple fibers and 40% wool. Further, according to the terms of Note 2(B)(b), it is acrylic, a synthetic yarn according to the terms of Note 1(a) to Chapter 54. The yarn meets the tariff definition of "put up for retail sale" found in Section XI, Note 4(b).

The applicable subheading for the yarn, for which you gave no style name or number, will be 5511.20.0000, HTSUS, which provides for "Yarn (other than sewing thread) of man-made staple fibers, put up for retail sale: of synthetic staple fibers, containing 85 percent or more by weight of such fibers: acrylic." The general rate of duty will be 7.5 percent ad valorem.

The yarn is manufactured in Peru from acrylic staple fibers of Peruvian origin, wool fibers from Argentina, and nylon staple fibers that are imported into Peru from Italy.

General Note (GN) 32, HTSUS, sets forth the criteria for determining whether a good is originating under the PERU TPAIA. GN 32(b), HTSUS, (19 U.S.C. §1202) states, in pertinent part, that For the purposes of this note, subject to the provisions of subdivisions (c), (d), (m) and (n) thereof, a good imported into the customs territory of the United States is eligible for treatment as an originating good under the terms of this note if—

- (i) the good is a good wholly obtained or produced entirely in the territory of Peru, the United States, or both;
- (ii) the good was produced entirely in the territory of Peru, the United States, or both, and—
  - (A) each of the nonoriginating materials used in the production of the good undergoes an applicable change in tariff classification specified in subdivision (n) of this note; or
  - (B) the good otherwise satisfies any applicable regional value content or other requirements specified in subdivision (n) of this note;
- and the good satisfies all other applicable requirements of this note; or
- (iii) the good was produced entirely in the territory of Peru, the United States, or both, exclusively from materials described in subdivision (b)(i) or (b)(ii) of this note.

For goods classified in heading 5511, General Note 32/55.1 requires:

A change to headings 5501 through 5511 from any other chapter, except from headings 5201 through 5203, 5401 through 5402, subheading 5403.20, 5403.33 through 5403.39, 5403.42 through 5403.49 or headings 5404 through 5405.



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# Recursos oficiales (Gobierno de EE. UU.)

## U.S. Customs and Border Protection Resources

### Recursos de Aduanas y Control de Fronteras de EE. UU.

- Informed Compliance Publications (ICP)

[Publicaciones de cumplimiento informado]

- [http://www.cbp.gov/xp/cgov/trade/legal/informed\\_compliance\\_pubs/](http://www.cbp.gov/xp/cgov/trade/legal/informed_compliance_pubs/)

- Ejemplos:

- Classification: Apparel Terminology Under the HTSUS
- Classification of Coated and Water Resistant Apparel
- Classification of Knit to Shape Apparel Garments Under HTSUS Heading 6110
- Classification of Sets
- Entry
- Marking Requirements for Wearing Apparel
- NAFTA for Textiles & Textile Articles
- Rulings Program
- Textile & Apparel Rules of Origin



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# Recursos oficiales (Gobierno de EE. UU.)

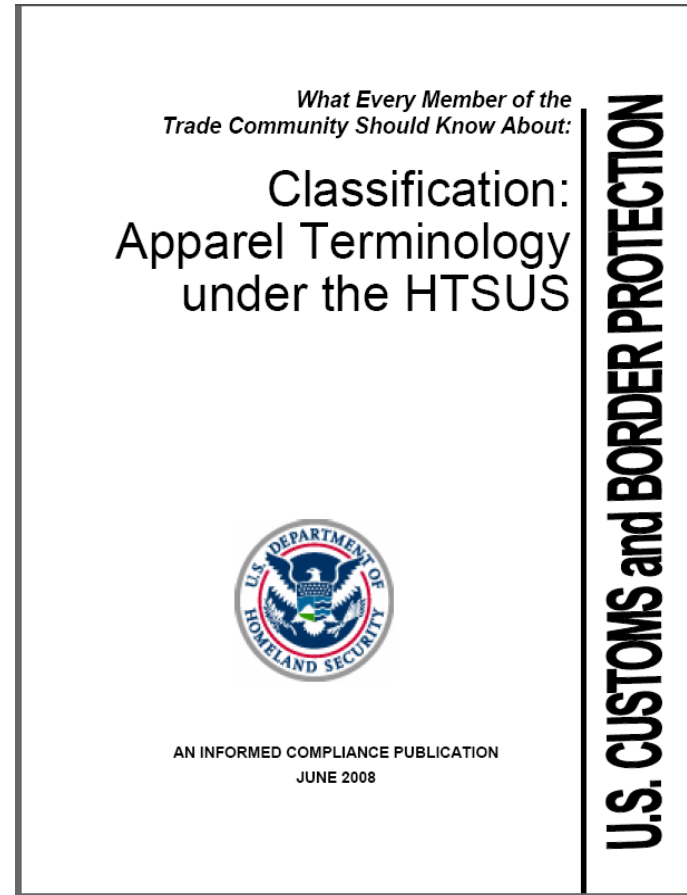
## CBP Resources – Informed Compliance Publications



The screenshot shows the CBP.gov website with the header "CBP.gov Securing America's Borders" and navigation links: "About CBP", "Newsroom", "Border Security", and "Trade". The left sidebar contains a "Trade" menu with links to "Automated Systems and Operational Support", "Basic Importing and Exporting", "Cargo Security", "CBP Legal Decisions and Publications", "Priority Trade Issues", "Quicklinks", "Trade Outreach", and "Trade Programs". The main content area is titled "Informed Compliance Publications" and includes a paragraph explaining that CBP has a number of Informed Compliance publications (ICPs) in the "What Every Member of the Trade Community Should Know About: ..." series. It lists the subjects available for reading or downloading, with the first date shown being the original publication date. A note states: "Please note: The 'Additional Information' sections in some of the older ICPs were correct at the time of publication, but may no longer be current." Below this, a list of publications is provided:

- **ABC's of Prior Disclosure**  
- 04/01/2004  
 pdf - 330 KB.
- **African Growth and Opportunity Act**  
- 08/01/2003  
 pdf - 304 KB.
- **Agglomerated Stone**  
- 03/01/2010  
 pdf - 193 KB.
- **Agricultural Actual Use Provisions**  
- 03/19/2010  
 pdf - 144 KB.
- **Articles of Wax, Artificial Stone and Jewelry**  
- 04/06/2006  
 pdf - 80 KB.
- **Ball Bearings**  
- 02/25/2010  
 pdf - 248 KB.

At the bottom left, there is a "What's New in Trade" section and a "Report Suspicious Activity to 800-BE-ALERT" link.



The cover of the publication "Classification: Apparel Terminology under the HTSUS" is shown. It features the title "What Every Member of the Trade Community Should Know About: Classification: Apparel Terminology under the HTSUS" at the top. The U.S. Department of Homeland Security seal is centered. Below the seal, it says "AN INFORMED COMPLIANCE PUBLICATION" and "JUNE 2008". On the right side, the text "U.S. CUSTOMS and BORDER PROTECTION" is written vertically.



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# Recursos oficiales (Gobierno de EE. UU.)

## U.S. Customs and Border Protection Resources – TBTs and QBTs

## Recursos de Aduanas y Control de Fronteras de EE. UU.

October 10, 2007

CMP-1 OT-TPP-TE NM

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS  
OFFICE OF FIELD OPERATIONS

FROM: Executive Director, Trade Policy and Programs  
Office of International Trade

SUBJECT: TBT-07-019 Documents Used to Verify Free Trade  
Agreement and Legislated Trade Program Claims for  
Textiles and Wearing Apparel

### BACKGROUND:

Customs and Border Protection (CBP) is tasked with the enforcement of Free Trade Agreements (FTAs) and legislated trade programs that govern the importation of textiles and wearing apparel into the United States. Upon the request of CBP, importers who make trade preference claims for textiles and wearing apparel must provide sufficient records to substantiate their claims that goods meet the preference rule of origin for a country that has a FTA or legislated trade program.

Whether an agreement requires the use of yarn or fabric originating in the United States or in the region or country of the agreement, or U.S. cut or knit-to-shape components, determines the types of records importers must submit to substantiate a claim. When requested by CBP, the primary documents importers must submit to confirm each raw material source are indicated below.

The following requirements hold whether U.S. materials or regional materials are used:

- Textile Bulletin Transmittals (TBTs)
  - (Ejemplo) TBT-07-019 Documents Used to Verify Free Trade Agreements and Legislated Trade Program Claims for Textiles and Wearing Apparel
  - [http://www.cbp.gov/xp/cgov/trade/priority\\_trade/textiles/tbts/](http://www.cbp.gov/xp/cgov/trade/priority_trade/textiles/tbts/)
- Quota Bulletin Transmittals (QBTs)
  - (Ejemplo) QBT-09-102 CAFTA-DR MX Cumulation (*Announcement of Quota Limit for 2010*)
  - [http://www.cbp.gov/xp/cgov/trade/trade\\_programs/textiles\\_and\\_quotas/qbts/](http://www.cbp.gov/xp/cgov/trade/trade_programs/textiles_and_quotas/qbts/)

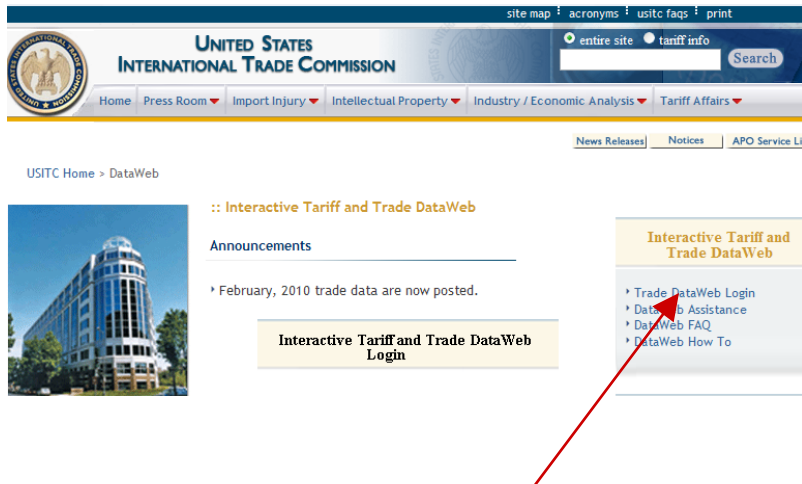


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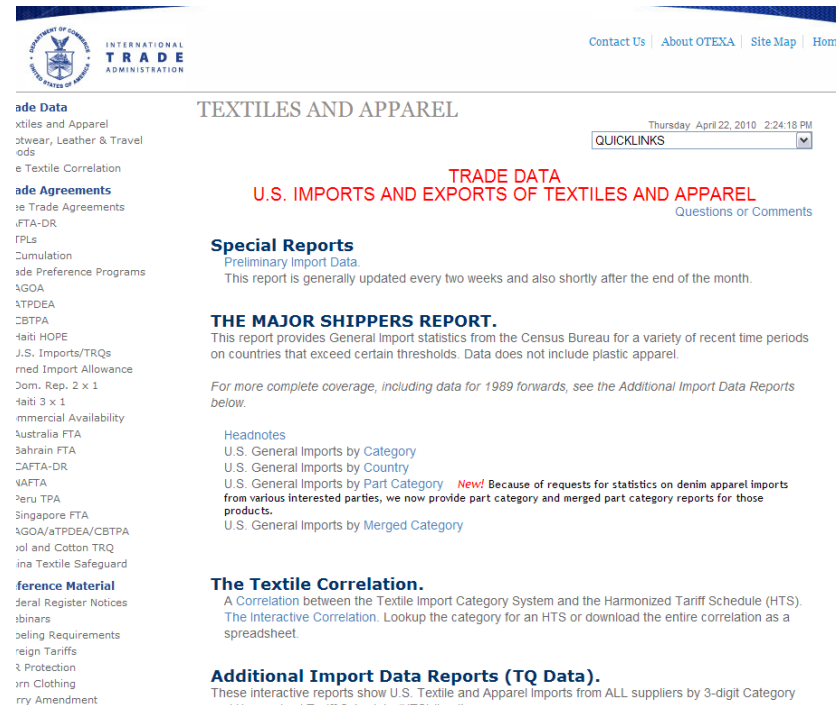
# Recursos oficiales (Gobierno de EE. UU.)

Datos de comercio de EE. UU.:

- U.S. International Trade Commission (ITC)  
DataWeb: <http://dataweb.usitc.gov/>
  - Login and Password Required (Free)
  - Data for All U.S. Imports and Exports



- Office of Textiles and Apparel (OTEXA) U.S. Department of Commerce:  
<http://otexa.ita.doc.gov>



U.S. Customs and Border Protection

# Textiles y prendas de vestir principales

Importaciones de productos textiles y prendas de vestir de EE. UU. desde

**Perú**

*Fuente: OTEXA, doce meses con finalización en febril 2013, por cantidad*

| <u>Categoría</u> | <u>Descripción</u>                                                       | <u>% de exportaciones</u> |
|------------------|--------------------------------------------------------------------------|---------------------------|
| 338              | Camisetas tejidas de algodón para hombres / niños                        | 22%                       |
| 339              | Camisetas tejidas de algodón para mujeres / niñas                        | 20%                       |
| 639              | Camisetas tejidas de fibras sintéticas/artificiales para mujeres / niñas | 9%                        |
| 638              | Camisetas tejidas de fibras sintéticas/artificiales para hombres / niños | 5%                        |
| 336              | Vestidos de algodón                                                      | <u>5%</u>                 |
|                  |                                                                          | <b>61%</b>                |



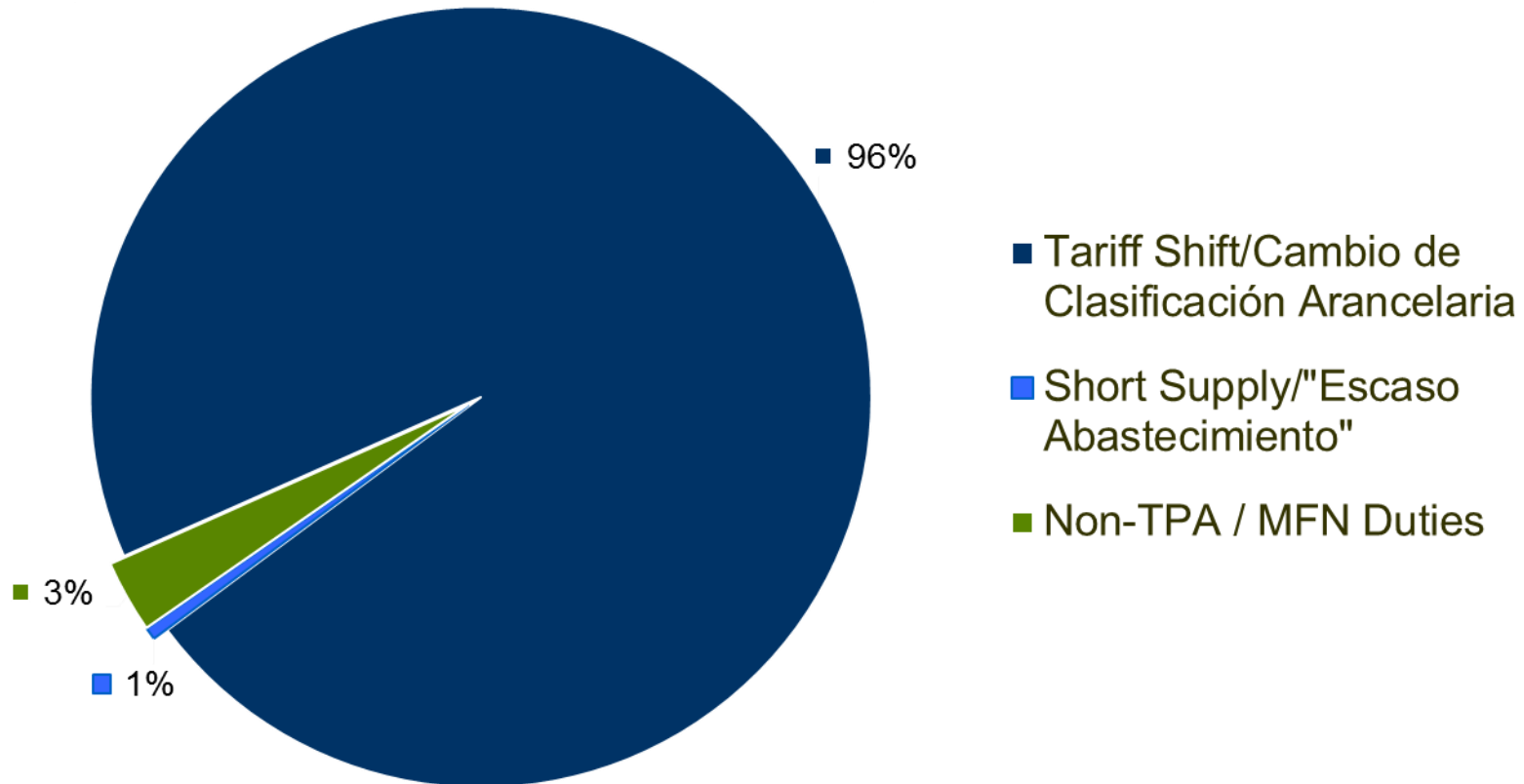
U.S. Customs and  
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# Comercio calificado según el Perú TPA

Importaciones de productos textiles y prendas de vestir de EE. UU. desde **Perú**

**TPA**

*Fuente: OTEXA, doce meses con finalización en febril 2013, por valor*



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# Entendiendo las reglas del Perú TPA para productos textiles y prendas de vestir

- Cómo leer y comprender las reglas preferenciales del Perú TPA para productos textiles y prendas de vestir
  - **Mercancías “originarias” según el Perú TPA**
    - Totalmente obtenido o producido
    - Producido exclusivamente con materiales originarios
    - **Reglas de cambio de clasificación arancelaria de productos específicos**
    - Disponibilidad comercial o “escaso abastecimiento”
    - Artesanías
  - **CBP Verificaciones**
    - EE.UU. Puertos
    - Textiles Producción Verificación Teams (TPVT)



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# Mercancías “originarias” según el Perú TPA

## Reglas de cambio de clasificación arancelaria

HTS GN 32(n)

- Las reglas de cambio de clasificación arancelaria del Perú TPA son la regla preferencial usada con mayor frecuencia para productos textiles y prendas de vestir originarios
- Reglas de cambio de clasificación arancelaria específica para productos detallada en el HTS GN 32(n)
- *En general*, se aplican los siguientes **conceptos**\*:
  - Fiber-forward: hilado (hilaza), tela tejida
  - Yarn-forward: tela tejido plano, prendas de vestir (que no sea de lana), artículos misceláneos
  - Fabric-forward: prendas de vestir de lana
  - “Cortadas y cosidas”: ciertos prendas de vestir

**\* Atención: el “concepto” NO es la regla**



U.S. Customs and  
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# Mercancías “originarias” según el Perú TPA

## Reglas de cambio de clasificación arancelaria

HTS GN 32(n)

- Las reglas de cambio de clasificación arancelaria se basan en la estructura de clasificación básica del HTS
- La comprensión de una regla de cambio de clasificación arancelaria específica exige conocer la clasificación arancelaria del HTS de la mercancía terminada **Y** la clasificación arancelaria del HTS de los materiales utilizados para producir la mercancía
- ¡La clasificación correcta es fundamental!
- **Recursos de utilidad:**
  - **HTS**
  - **Publicaciones de cumplimiento informado**
  - **Sistema de investigación de resoluciones aduaneras en línea (CROSS) (resoluciones pasadas) o**
  - **Presentación de una solicitud de resolución (también conocida como dictamen “anticipado” o “vinculante”)**



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria:

Capítulos del HTS para productos textiles y prendas de vestir

|                                                 |                                                          |                                                |
|-------------------------------------------------|----------------------------------------------------------|------------------------------------------------|
| <b>50</b> Seda                                  | <b>55</b> Fibra sintéticas<br>/artificiales discontinuas | <b>60</b> Telas tejidas                        |
| <b>51</b> Lana                                  | <b>56</b> Guata, Etc.                                    | <b>61</b> Prendas de vestir<br>tejida          |
| <b>52</b> Algodón                               | <b>57</b> Alfombras, Etc.                                | <b>62</b> Prendas de vestir<br>de tejido plano |
| <b>53</b> Otros vegetales                       | <b>58</b> Tejidos especiales                             | <b>63</b> Artículos<br>misceláneos             |
| <b>54</b> Filamentos<br>sintéticos/artificiales | <b>59</b> Tejidos revestidos                             |                                                |



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: encabezados HTS para fibras, hilados y telas

## Fibras

5001-5003: Seda

5101-5105: Lana

5201-5203: Algodón

5301-5305: Vegetales

5501-5507: Fibra  
sintética/artificiales

## Hilados (Hilazas)

5004-5006: Seda

5106-5110: Lana

5204-5207: Algodón

5306-5308: Fibras vegetales

5401-5406: Filamentos  
sintéticos/artificiales

5508-5511: Fibras sintéticas  
/artificiales discontinuas

5604-5606: Artesanales

*(Goma, revestidos, metal, etc.)*

## Telas

5007: Seda

5111-5113: Lana (tejido plano)

5208-5212: Algodón (tejido en telar)

5309-5311: Fibras vegetales (tejidas en telar)

5407-5408: Filamentos sintéticos (tejidos en  
telar)

5512-5516: Filamentos sintéticos (tejidos en  
telar)

5602-5603: Fielto y no tejidas en telar

5801-5804: Artesanales

5901-5911: Revestidas

6001-6006: Telas tejidas



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# Recursos oficiales (Gobierno de EE. UU.)

## CBP Resources – Informed Compliance Publications

*What Every Member of the  
Trade Community Should Know About:*

**Classification:  
Apparel Terminology  
under the HTSUS**

**PROTECTION**



AN INFORMED

**Dresses** (6104, 6111, 6204, 6209) - are one-piece garments for women or girls, covering the top of the body and extending to the mid-thigh vicinity and below. Fashion trends have also produced dresses of shorter length. Dresses are appropriate for wear without other outer garments, and their lower end encloses both legs in a single “tube” (rather than in two, as trousers do). Garments that are similar to divided skirts in that they have the appearance of a dress from the front but are not a single tube, but two tubes, are not classified as dresses. They are generally classified in provisions for other garments.



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Border Protection**

# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: por ejemplo, vestido tejido para niñas

Clasificación – HTS Capítulo 61

## Harmonized Tariff Schedule of the United States (2013)

Annotated for Statistical Reporting Purposes

XI  
61-27

| Heading/<br>Subheading | Stat.<br>Suf-<br>fix | Article Description                                                                                                                                                                                                    | Unit<br>of<br>Quantity | Rates of Duty |                                                                      |       |
|------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------|----------------------------------------------------------------------|-------|
|                        |                      |                                                                                                                                                                                                                        |                        | 1             |                                                                      | 2     |
|                        |                      |                                                                                                                                                                                                                        |                        | General       | Special                                                              |       |
| 6104 (con.)            |                      | Women's or girls' suits, ensembles, suit-type jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted (con.):<br>Dresses: |                        |               |                                                                      |       |
| 6104.41.00             |                      | Of wool or fine animal hair. . . . .                                                                                                                                                                                   |                        | 13.6%         | Free (BH,CA,CL,CO,IL,JO,KR,MA,MX,P,PA,PE,SG)<br>6.8% (OM)<br>8% (AU) | 54.5% |
|                        | 10                   | Women's (436). . . . .                                                                                                                                                                                                 | doz.                   |               |                                                                      |       |
|                        | 20                   | Girls' (436). . . . .                                                                                                                                                                                                  | kg<br>doz.<br>kg       |               |                                                                      |       |
| 6104.42.00             |                      | Of cotton. . . . .                                                                                                                                                                                                     |                        | 11.5%         | Free (BH,CA,CL,CO,IL,JO,KR,MA,MX,OM,P,PA,PE,SG)<br>8% (AU)           | 45%   |
|                        | 10                   | Women's (336). . . . .                                                                                                                                                                                                 | doz.<br>kg             |               |                                                                      |       |
|                        | 20                   | Girls' (336). . . . .                                                                                                                                                                                                  | doz.<br>kn             |               |                                                                      |       |



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: por ejemplo, vestido tejido para niñas

HTS GN 32(n)

- HTS 6104.41.0020 para vestidos de lana tejido para niñas
- HTS 6104.42.0020 para vestidos de algodón tejido para niñas
  - Regla de cambio de clasificación arancelaria del Perú TPA de GN 32 (n) Capítulo 61 n.º 16 (igual para ambos):

## Harmonized Tariff Schedule of the United States (2013)

Annotated for Statistical Reporting Purposes

GN p.607

Peru

16. A change to subheadings 6104.41 through 6104.49 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311, 5401 through 5402, subheading 5403.20, 5403.33 through 5403.39, 5403.42 through 5403.49, headings 5404 through 5408, 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both and sewn or otherwise assembled in the territory of Peru, the United States, or both.



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: por ejemplo, vestido tejido para niñas

HTS GN 32 (n)

- Un cambio a las partidas 6104.41 al 6104.49 [6104.41.0020 ó 6104.42.0020] de cualquier otro capítulo,

**a excepción de**

las partidas 5106 al 5113 [**Hilo o tela de lana tejido plano**], 5204 al 5212 [**Hilo de algodón o tela tejido plano**], 5307 al 5308, 5310 al 5311 [**Tela de fibra vegetal tejido plano**], 5401 al 5402, 5403.20, 5403.33 al 5403.39, 5404 al 5408 [**Tela tejido plano o hilo de filamentos sintéticos**], 5508 al 5516 [**Tela tejido plano o hilo de fibra sintética**] ó **6001 al 6006** [**Tela tejida**],

siempre que la mercancía esté cortada o tejida a forma, o ambos, y cosida o de otras manera ensamblada en el territorio de Perú, EE.UU. ó ambos.



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: por ejemplo, vestido tejido para niñas

HTS GN 32 (n)

- **“A excepción de”** es la frase que nos dice qué materiales en la producción de la mercancía terminada también deben ser originarios según el Perú TPA
- Los materiales clasificados en las disposiciones de tarifas excluidas (por capítulo [2 dígitos], por partida [4 dígitos] o por subpartida [6 dígitos] del sistema arancelario) deben ser originarios según el Perú TPA a fin de que la mercancía producida con esos materiales sea elegible para el tratamiento del Perú TPA



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: por ejemplo, vestido tejido para niñas HTS GN 32(n)

- Los vestidos tejidos de algodón para niñas, de tela de algodón tejido Y de hilo de algodón deben ser originarios del Perú TPA
  - *La regla de cambio de clasificación arancelaria cumple con el concepto “Yarn-forward”*
  - “A excepción” del hilo de algodón (subpartidas 5204 al 5207) y de la tela tejida de algodón (subpartidas 6001 al 6006)
- Los vestidos tejidos de lana para niñas, de tela de lana tejida deben ser originarios de acuerdo al Perú TPA
  - *La regla de cambio de clasificación arancelaria cumple con el concepto “Yarn-Forward” tambien*
  - “A excepción” del hilo de lana (subpartidas 5106 al 5110) Y de la tejida de lana (subpartidas 6001 al 6006)



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: Reglas de capítulo para mercancías correspondientes a los capítulos 61, 62 y 63

HTS GN 32(n)

- Componente de clasificación arancelaria: capítulos 61, 62 y 63
- Tela para forro visible: capítulos 61 y 62
- Tela para elástico angosto: capítulos 61 y 62
- Hilo de coser: capítulos 61, 62 y 63
- Tela para bolsillos: capítulos 61 y 62
- **Se aplican las “Reglas del capítulo” además de la regla de cambio de clasificación arancelaria del Perú TPA para mercancías clasificadas en los capítulos 61, 62 y 63**



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# Mercancías “originarias” según el Perú TPA

Reglas de capítulo GN 32(n)

**Carácter esencial de la clasificación arancelaria: Capítulo 61 Regla 2, Capítulo 62 Regla 2, Capítulo 63 Regla 1**

- La regla de capítulo carácter esencial de la clasificación arancelaria establece que “solo el componente de la mercancía que determina la clasificación arancelaria de la mercancía” debe cumplir con la regla de cambio de tarifa específica

**Chapter rule 2:** For purposes of determining whether a good of this chapter is originating, the rule applicable to that good shall only apply to the component that determines the tariff classification of the good and such component must satisfy the tariff change requirements set out in the rule for that good. If the rule requires that the good must also satisfy the tariff change requirements for visible lining fabrics listed in chapter rule 1, such requirement shall only apply to the visible lining fabric in the main body of the garment, excluding sleeves, which covers the largest surface area, and shall not apply to removable linings.



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# Mercancías “originarias” según el Perú TPA

Reglas de capítulo GN 32(n)

**Telas para forro visible: Capítulo 61 Regla 1, Capítulo 62 Regla 1**

- La regla de capítulo Telas para forro visible establece que las telas seleccionadas, cuando se utilizan como material visible de forros en ciertas prendas, deben estar formadas con hilo y terminadas en Perú o EE.UU. o ambos

## Chapter 61.

**Chapter rule 1:** Except for fabrics classified under tariff items 5408.22.10, 5408.23.11, 5408.23.21 or 5408.24.10, the fabrics identified in the following headings and subheadings, when used as visible lining material in certain men's and women's suits, suit-type jackets, skirts, overcoats, carcoats, anoraks, windbreakers, and similar articles, must be both formed from yarn and finished in the territory of Peru, the United States, or both:

headings 5111 through 5112, subheadings 5208.31 through 5208.59, 5209.31 through 5209.59, 5210.31 through 5210.59, 5211.31 through 5211.59, 5212.13 through 5212.15, 5212.23 through 5212.25, 5407.42 through 5407.44, 5407.52 through 5407.54, 5407.61, 5407.72 through 5407.74, 5407.82 through 5407.84, 5407.92 through 5407.94, 5408.22 through 5408.24, 5408.32 through 5408.34, 5512.19, 5512.29, 5512.99, 5513.21 through 5513.49, 5514.21 through 5515.99, 5516.12 through 5516.14, 5516.22 through 5516.24, 5516.32 through 5516.34, 5516.42 through 5516.44, 5516.92 through 5516.94, 6001.10, 6001.92, 6005.31 through 6005.44 or 6006.10 through 6006.44.



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# Mercancías “originarias” según el Perú TPA

Reglas de capítulo GN 32(n)

**Telas para forro visible: Capítulo 61 Regla 1, Capítulo 62 Regla 1**

- La regla de capítulo Telas para forro visible solo se aplica “a la tela de forro visible en el cuerpo principal de la prenda, sin incluir las mangas, que cubre el área de mayor superficie, y no se debe aplicar a forros desmontables” (*véase la regla de componente de la clasificación de tarifas*)
- Cuando se debe cumplir con la regla de capítulo Telas para forro visible, la regla de cambio de tarifa incluye un recordatorio:

7. A change to subheadings 6202.91 through 6202.93 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308, 5310 through 5311, 5401 through 5402, subheading 5403.20, 5403.33 through 5403.39, 5403.42 through 5403.49, headings 5404 through 5408, 5508 through 5516, 5801 through 5802 or 6001 through 6006, provided that:

- (a) the good is cut or knit to shape, or both and sewn or otherwise assembled in the territory of Peru, the United States, or both; and
- (b) any visible lining material contained in the apparel article must satisfy the requirements of chapter rule 1 for chapter 62.



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# Mercancías “originarias” según el Perú TPA

Reglas de capítulo GN 32(n)

Telas para elástico angosto: Capítulo 61 Regla 3, Capítulo 62 Regla 3

- La regla de capítulo Tela para elástico angosto establece que las “telas del subpartida 5806.20 o el partida 6002” *contenidos* en una prendas de vestir (capítulo 61 o 62) deben estar formadas de hilo y terminadas en Perú, EE.UU. o ambos
  - Las telas clasificadas en el subpartida 5806.20 son ciertas telas tejidas en telar de un ancho no superior a los 30 cm, que contienen por peso un 5% o más de hilo elastomérico o hilo de goma:
    - Provistos con orillos (tejidos en telar, pegados o de otra forma) sobre ambos bordes; o
    - Tubular (el ancho plano no excede los 30 cm); o
    - Ribete al bies con bordes doblados (el ancho sin doblar no excede los 30 cm)
  - Las telas clasificadas en el partida 6002 son ciertas telas tejidas o al croché de un ancho no superior a los 30 cm, que contienen por peso un 5% o más de hilo elastomérico o hilo de goma



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# Mercancías “originarias” según el Perú TPA

Reglas de capítulo GN 32(n)

Hilo de coser: Capítulo 61 Regla 4, Capítulo 62 Regla 4, Capítulo 63 Regla 2

- La regla de capítulo Hilo de coser establece que la hilo de coser del partida 5204 o 5401 contenida en la mercancía debe estar formada y terminada en Perú, EE.UU. o ambos
- Por definición, las partidas 5204 (algodón) y 5401 (filamento sintético) son hebras o hilos multihebra o cableados

## Chapter 63.

Chapter rule 1: For purposes of determining whether a good of this chapter is originating, the rule applicable to that good shall only apply to the component that determines the tariff classification of the good and such component must satisfy the tariff change requirements set out in the rule for that good.

Chapter rule 2: Notwithstanding chapter rule 1, a good of this chapter containing sewing thread of heading 52.04 or 5401 shall be considered originating only if such sewing thread is wholly formed in the territory of Peru, the United States, or both.



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# Mercancías “originarias” según el Perú TPA

Reglas de capítulo GN 32(n)

Tela para bolsillos: Capítulo 61 Regla 5, Capítulo 62 Regla 5

- La regla de capítulo Tela para bolsillos establece que la tela para bolsillos contenida en las mercancías de prendas de vestir debe estar formada y terminada en un país en Perú o EE.UU., con hilo totalmente formado en Perú o EE.UU.
- La regla de capítulo para Tela para bolsillos cumple con el concepto “Yarn-forward”



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria: Requisitos especiales para productos textiles y prendas de vestir

HTS GN 32(d)

- De mínimas
- Hilo elastomérico
- Ciertos hilos de filamentos de nylon
- **Los “requisitos especiales” se aplican además de la regla de cambio de clasificación arancelaria del Perú TPA todos los productos textiles y prendas de vestir**



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# Mercancías “originarias” según el Perú TPA

Reglas de cambio de clasificación arancelaria

HTS GN 32(n)

- **Un reclamo del Perú TPA: reglas de cambio clasificación arancelaria:**

- Utilice el número del HTS de 10 dígitos de capítulos 1-97 en el primer campo del registro de entrada (Entry Summary)(CBP Form 7501) de EE. UU.
- Coloque el Indicador de Programa Especial (SPI) de “PE” justo antes el número del HTS en el primer campo



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# Verificación de las reglas para productos textiles y prendas de vestir



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# Responsabilidades

## Importador de registros

- Los conceptos legales de EE.UU. de “**cumplimiento informado**” y “**responsabilidad compartida**” convierten al importador de registros en responsable de:
  - Ejercer un “**cuidado razonable**” para ingresar, clasificar, marcar adecuadamente con el país de origen y valorar la mercancía importada
  - Proporcionar cualquier otra información necesaria para permitir al CBP evaluar correctamente los impuestos, recoger estadísticas precisas y determinar si se cumple algún otro requisito legal aplicable



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# Documentación requerida para la entrada

19 CFR 142.3 (Entry Documentation) and 19 CFR 141.11 (Right to Make Entry)



- [Part 141 - ENTRY OF MERCHANDISE](#)
- [Part 142 - ENTRY PROCESS](#)
  - Toc - Table Of Contents (Parts 142 - 142)
  - [Subpart A - Entry Documentation](#)
    - Section 142.1 - Definitions.
    - Section 142.2 - Time for filing entry.
    - Section 142.3 - Entry documentation required.
    - Section 142.4 - Bond requirements.
    - Section 142.5 - [Reserved]
    - Section 142.6 - Invoice requirements.
    - Section 142.7 - Examination of merchandise.
    - Section 142.8 - Failure to file entry timely.
    - Section 142.9a - Entry numbers.

## Documentación requerida para la entrada (19 CFR 142.3):

- CBP Form 7501 Entry Summary
- Derecho a Tomar entrada - conocimiento de embarque negociable (19 CFR 141.11)
- Factura
- Contenido del paquete
- Documentación que se requiera por otras agencias estadounidenses



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# CBP Form 7501, Entry Summary

Form Approved OMB No. 1651-0022  
EXP. 03-31-2012

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

## ENTRY SUMMARY

|                                         |  |                                |  |                                         |  |                            |  |                           |  |
|-----------------------------------------|--|--------------------------------|--|-----------------------------------------|--|----------------------------|--|---------------------------|--|
| 8. Importing Carrier                    |  | 9. Mode of Transport           |  | 1. Filer Code/Entry No.                 |  | 2. Entry Type              |  | 3. Summary Date           |  |
| 12. B/L or AWB No.                      |  | 13. Manufacturer ID            |  | 4. Surety No.                           |  | 5. Bond Type               |  | 6. Port Code              |  |
| 16. I.T. No.                            |  | 17. I.T. Date                  |  | 18. Missing Docs                        |  | 19. Foreign Port of Lading |  | 20. U.S. Port of Unlading |  |
| 21. Location of Goods/G.O. No.          |  | 22. Consignee No.              |  | 23. Importer No.                        |  | 24. Reference No.          |  | 7. Entry Date             |  |
| 25. Ultimate Consignee Name and Address |  |                                |  | 26. Importer of Record Name and Address |  |                            |  |                           |  |
| City                                    |  |                                |  | State                                   |  | Zip                        |  |                           |  |
| 27.                                     |  | 28. Description of Merchandise |  |                                         |  |                            |  |                           |  |
| Line No.                                |  | A. HTSUS No.                   |  | A. Grossweight                          |  | Net                        |  | 30.                       |  |
|                                         |  | B. ADA/CVD No.                 |  | B. Manifest Qty.                        |  | HTS                        |  |                           |  |

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

## CBP FORM 7501 INSTRUCTIONS (Updated June 8, 2012)

### BLOCK 1) ENTRY NUMBER

Record the 11 digit alphanumeric code. The entry number is comprised of the three digit filer code, followed by the seven digit entry number, and completed with the one digit check digit.

Entry Filer Code represents the three-character alphanumeric filer code assigned to the



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# Requisitos de factura

19 CFR 141.86

- Puerto de entrada
- Nombre del Importador
- Descripción detallada de la mercancía
- Cantidades
- Precio de compra en dólares americanos
- País de Origen



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# CBP Verificaciones del Puerto

- Mensaje realiza generalmente después “Entry Summary”
- No requiere la detención de la mercancía
- Examen y adquisición de una muestra puede ser requerido
- **CBP solicitará justificación del origen de entradas de origen restringidos, tales como:**
  - Declaración jurada de los productores reales de Hilados y Tejidos
  - Productos Comerciales factura indicando claramente fueron producidos por la Fábrica
  - Otros documentos requeridos
- CBP puede verificar la precisión de las declaraciones juradas con fábricas de textiles
- CBP puede solicitar documentos en apoyo de los requisitos de Tránsito y Transbordo



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# Documentos de apoyo para las demandas

- EE.UU. Ley requiere que los importadores conserven todos los documentos de entrada para un período de **5 años**;
- Requisitos de mantenimiento de registros aplicar a toda la documentación acreditativa necesaria para justificar la reclamación de preferencia bajo un programa legislada o Tratado de Libre Comercio
- Si un importador no para justificar una solicitud de trato preferencial basado en las reglas de preferencia, entonces CBP evaluará de derechos compensatorios sobre los productos sujetos a la verificación
- La carga de la prueba que apoye la afirmación libre de impuestos está en el Importador



# En respuesta a un formulario CBP 28, Solicitud de Información

- Certificación
- Documentos de apoyo de procesos de producción, información de costes, los materiales utilizados en la producción
- Información sobre el crecimiento, producción o fabricación



# CBP Form 28, Request for Information

| DEPARTMENT OF HOMELAND SECURITY<br>U.S. Customs and Border Protection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                      | OMB No. 1651-0023<br>Exp. 03-31-2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <b>REQUEST FOR INFORMATION</b><br>19 CFR 151.11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                      | 1. Date of Request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                      | 2. Date of Entry and Importation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                 |
| 3. Manufacturer/Seller/Shipper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                      | 4. Carrier                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                 |
| 5a. Invoice Description of Merchandise                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                      | 5b. Invoice No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 6. HTSUS Item No.               |
| 7. Country of Origin/Exportation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                      | 8. CBP Broker and Reference or File No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                 |
| 9. TO:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                      | 10. FROM:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                 |
| Production of Documents and/or Information Required by Law: If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.                                                                                                                                                                                                                                                                                                                                                  |                      | 11a. Port                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 11b. Date Information Furnished |
| <b>General Information and Instructions on Reverse</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 |
| 12. Please Answer Indicated Question(s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                      | 13. Please Furnish Indicated Item(s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                 |
| <input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.<br><br><input type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as:<br><input type="checkbox"/> (1) packing<br><input type="checkbox"/> (2) commissions<br><input type="checkbox"/> (3) proceeds that accrue to the seller<br><input type="checkbox"/> (4) assists<br><input type="checkbox"/> (5) royalties and/or license fees |                      | <input type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.<br><input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.<br><input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.<br><input type="checkbox"/> D. Submit samples:<br>Article number and description _____<br>_____<br>from container _____<br>mark(s) and number _____<br>Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.<br><input type="checkbox"/> E. See item 14 below. |                                 |
| 14. CBP Officer Message                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 |
| 15. Reply Message (Use additional sheets if more space is needed.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 |
| 16. CERTIFICATION It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. (NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.)                                                                                                                                                                                                                                                                                                                                                                                                           |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 |
| I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.                                                                                                                                                                                                                                                                                                                                                                                                                                            |                      | 16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                      | 16b. Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                      | 16c. Telephone No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 16d. Date                       |
| 17. CBP Officer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 18. Team Designation | 19. Telephone No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                 |

CBP Form 28 (03/11)

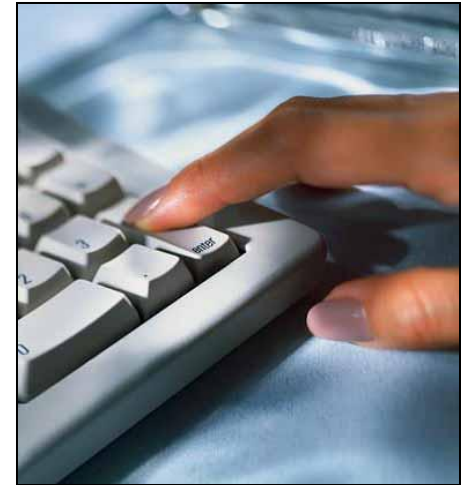


**U.S. Customs and  
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# Certificación

## Requisitos del Importador

- Puede estar en cualquier formato
- Debe contener ciertos elementos de datos
- Debe ser presentada a solicitud
- Pueden ser enviados electrónicamente



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# Elementos de Datos

- Persona que certifica
  - Importador
  - Exportador
  - Productor
  - Descripción del bien
  - Clasificación arancelaria
- Información que demuestre que una mercancía es originaria
  - Cubiertas período de certificación (si una certificación general)
  - Declaración de Certificación
  - Firma autorizada y fecha



# Declaraciones Juradas Textiles

- Las declaraciones juradas deben contener información de contacto
- Hilados y Tejidos Productor cada uno debe preparar una declaración jurada
- Declaración jurada debe contener información específica
  - Tipo de hilo / tejido
  - Enlace a los justificantes; contratos, facturas, órdenes de compra



# Declaraciones juradas textiles

See CBP Textile Bulletin Transmittals:

- **TBT-12-003** Supplemental Instructions for Document Review When Verifying Trade Preference Program Claims for Textiles and Wearing Apparel
- **TBT-11-004** Additional Documents Used to Verify Free Trade Agreement and Legislated Trade Program Claims for Textiles and Wearing Apparel
- **TBT-07-019** Documents Used to Verify Free Trade Agreement and Legislated Trade Program Claims for Textiles and Wearing Apparel



# Determinaciones

## Notificación Escrita Requerida

- Emitido a través de un formulario CBP 29
- Positivo o Negativo
- Enumere las constataciones fácticas
- Identificar los estatutos / reglamentos apropiados





# CBP Form 29, Notice of Action

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

## NOTICE OF ACTION 19 CFR 152.2

*Any text that scrolls will not print*

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                            |                        |               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------|------------------------|---------------|
| This is NOT A Notice of Liquidation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                        |                            | 1. DATE OF THIS NOTICE |               |
| 2. CARRIER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3. DATE OF IMPORTATION | 4. DATE OF ENTRY           | 5. ENTRY NO.           |               |
| 6. MFR/SELLER/SHIPPER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 7. COUNTRY             | 8. CBP BROKER AND FILE NO. |                        |               |
| 9. DESCRIPTION OF MERCHANDISE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                        |                            |                        |               |
| 10. TO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                        | 11. FROM                   |                        |               |
| <p>12. THE FOLLOWING ACTION, WHICH WILL RESULT IN AN INCREASE IN DUTIES, —</p> <p><input type="checkbox"/> IS <u>PROPOSED</u>      IF YOU DISAGREE WITH THIS PROPOSED ACTION, PLEASE FURNISH YOUR REASON IN WRITING TO THIS OFFICE WITHIN 20 DAYS FROM THE DATE OF THIS NOTICE. AFTER 20 DAYS THE ENTRY WILL BE LIQUIDATED AS PROPOSED.</p> <p><input type="checkbox"/> HAS BEEN <u>TAKEN</u>      THE ENTRY IS IN THE LIQUIDATION PROCESS AND IS NOT AVAILABLE FOR REVIEW IN THIS OFFICE.</p> <p>TYPE OF ACTION      A. <input type="checkbox"/> RATE ADVANCE</p> <p>                                 B. <input type="checkbox"/> VALUE ADVANCE</p> <p>                                 C. <input type="checkbox"/> EXCESS      <input type="checkbox"/> WEIGHT      <input type="checkbox"/> QUANTITY</p> <p>                                 D. <input type="checkbox"/> OTHER (See below)</p> |                        |                            |                        |               |
| 13. EXPLANATION (REFER TO ACTION LETTER DESIGNATIONS ABOVE)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                        |                            |                        |               |
| <div style="border: 1px solid black; height: 200px; width: 100%;"></div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                            |                        |               |
| 14. CBP OFFICER (PRINT OR TYPE)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        | 15. TEAM DESIGNATION       |                        | 16. TELEPHONE |

CBP Form 29 (03/05)



U.S. Customs and  
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# Textile Production Verification Team (TPVT) Visits

- El artículo 3.24 del Perú TPA visita para verificar la producción
  - CBP envía la solicitud por escrito al país Perú 20 días antes de visitar solicitando permiso para llevar a cabo verificaciones
  - Perú responde dentro de 10 días
  - Las visitas son anunciadas



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# Textile Production Verification Teams

- **Los miembros del equipo incluyen:** especialistas en importaciones, Inmigración e Investigadores de Aduanas, Auditores de CBP o Especialistas de Comercio Internacional
- **Equipos Visita Operaciones Extranjeras Fabricación a:**
  - Determinar si hacían los bienes que fueron introducidos en el origen, es decir validar EE.UU.
  - Determinar la capacidad de producción de la fábrica / tipo de bienes y la cantidad de mercancías que pueden obtenerse
  - Determine si las prendas de vestir o tejidos producidos cumplen con los requisitos para el tratamiento de preferencias comerciales



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Reglas

Regulaciones

Responsabilidades



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## U.S. Customs and Border Protection

# Gracias!

Office of International Affairs

Natalie Hanson

[natalie.hanson@dhs.gov](mailto:natalie.hanson@dhs.gov)