demonstrating to the satisfaction of
the port director that the requirements
set forth in § 10.609(a) of this subpart
were met.

§ 10.617 Special rule for verifications
in a Party of U.S. imports of textile
and apparel goods.

(a) Procedures to determine whether a
claim of origin is accurate—(1) General.

For the purpose of determining that a
claim of origin for a textile or apparel
good is accurate, CBP may request
that the government of a Party con-
duct a verification, regardless of
whether a claim is made for pref-
ential tariff treatment.

(2) Actions during a verification. While
a verification under this paragraph is
being conducted, CBP may take appro-
priate action, which may include:

(i) Suspending the application of
preferential tariff treatment to the
textile or apparel good for which a
claim for preferential tariff treatment
has been made, if CBP determines
the enterprise has provided incorrect infor-
mation to support the claim;

(ii) Denying the application of pref-
ential tariff treatment to the textile
or apparel good for which a claim for
preferential tariff treatment has been
made that is the subject of a
verification if CBP determines that an
enterprise has provided incorrect infor-
mation to support the claim;

(iii) Detention of any textile or ap-
parel good exported or produced by the
enterprise subject to the verification if
CBP determines there is insufficient
information to determine the country
of origin of any such good; and

(iv) Denying entry to any textile or
apparel good exported or produced by
the enterprise subject to the
verification if CBP determines that
the enterprise has provided incorrect infor-
mation as to the country of origin of
any such good.

(3) Actions following a verification. On
completion of a verification under this
paragraph, CBP may take appropriate
action, which may include:

(i) Suspending the application of pref-
ential tariff treatment to the textile
or apparel good for which a claim for
preferential tariff treatment has been
made that is the subject of a
verification if CBP determines there is
insufficient information, or that the
enterprise has provided incorrect infor-
mation, to support the claim; and

(ii) Denying entry to any textile or
apparel good exported or produced by
the enterprise subject to the
verification if CBP determines there is
insufficient information to determine,
or that the enterprise has provided incorrect information as to, the country of origin of any such good.

(b) Procedures to determine compliance with applicable customs laws and regulations of the U.S.—(1) General. For purposes of enabling CBP to determine that an exporter or producer is complying with applicable customs laws, regulations, and procedures regarding trade in textile and apparel goods, CBP may request that the government of a Party conduct a verification.

(2) Actions during a verification. While a verification under this paragraph is being conducted, CBP may take appropriate action, which may include:

(i) Suspending the application of preferential tariff treatment to any textile or apparel good exported or produced by the enterprise subject to the verification if CBP determines there is insufficient information to support a claim for preferential tariff treatment with respect to any such good;

(ii) Denying the application of preferential tariff treatment to any textile or apparel good exported or produced by the enterprise subject to the verification if CBP determines that the enterprise has provided incorrect information to support a claim for preferential tariff treatment with respect to any such good;

(iii) Detention of any textile or apparel good exported or produced by the enterprise subject to the verification if CBP determines there is insufficient information to determine the country of origin of any such good; and

(iv) Denying entry to any textile or apparel good exported or produced by the enterprise subject to the verification if CBP determines that the enterprise has provided incorrect information as to the country of origin of any such good.

(3) Actions following a verification. On completion of a verification under this paragraph, CBP may take appropriate action, which may include:

(i) Suspending the application of preferential tariff treatment to any textile or apparel good exported or produced by the enterprise subject to the verification if CBP determines there is insufficient information to determine the country of origin of any such good; and

(ii) Denying the application of preferential tariff treatment with respect to any such good; and

(iii) Denying entry to any textile or apparel good exported or produced by the enterprise subject to the verification if CBP determines there is insufficient information to determine, or that the enterprise has provided incorrect information as to, the country of origin of any such good.

(c) Denial of permission to conduct a verification. If an enterprise does not consent to a verification under this section, CBP may deny preferential tariff treatment to the type of goods of the enterprise that would have been the subject of the verification.

(d) Assistance by U.S. officials in conducting a verification abroad. U.S. officials may undertake or assist in a verification under this section by conducting visits in the territory of a Party, along with the competent authorities of the Party, to the premises of an exporter, producer or any other enterprise involved in the movement of textile or apparel goods from a Party to the United States.

(e) Continuation of appropriate action. CBP may continue to take appropriate action under paragraph (a) or (b) of this section until it receives information sufficient to enable it to make the determination described in paragraphs (a) and (b) of this section.

§10.618 Issuance of negative origin determinations.

If, as a result of an origin verification initiated under this subpart, CBP determines that a claim for preferential tariff treatment made under §10.583(b) of this subpart should be denied, it will issue a determination in writing or via an authorized electronic data interchange system to the importer that sets forth the following:

(a) A description of the good that was the subject of the verification together with the identifying numbers and dates of the import documents pertaining to the good;

(b) A statement setting forth the findings of fact made in connection with the verification and upon which the determination is based; and

(c) With specific reference to the rules applicable to originating goods as set forth in General Note 29, HTSUS,