

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 10 and 163

[T.D. 03-16]

1515-AD19

Implementation of the Andean Trade Promotion and Drug Eradication Act

Correction

In rule document 03-6867 beginning on page 14477 in the issue of Tuesday, March 25, 2003, make the following corrections:

- 1. On page 14477, the Cover page is in error and should read "Implementation of the Andean Trade Promotion and Drug Eradication Act; Interim Rule".
- 2. On pages 14478 through 14500 in the running head, "Proposed Rules" should read "Rules and Regulations".

[FR Doc. C3-06867 Filed 11-28-03; 8:45 am]

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 10 and 163

Implementation of the Andean Trade Promotion and Drug Eradication Act

CFR Correction

Title 19 of the Code of Federal Regulations, Parts 1 to 140 and Parts 141 to 199, revised as of April 1, 2003, is corrected by incorporating the following amendments, originally published at 68 FR 14486-14500, Mar. 25, 2003. See also the **Federal Register** correction appearing in this part V.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

- 1. In Parts 1 to 140, on page 82, the specific authority citation for §§ 10.201 through 10.207 is revised to read, and a new specific authority citation for §§ 10.241 through 10.248 and §§ 10.251 through 10.257 is added to read, as follows:

* * * * *

Sections 10.201 through 10.207 also issued under 19 U.S.C. 3203;

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Sections 10.241 through 10.248 and §§ 10.251 through 10.257 also issued under 19 U.S.C. 3203.

- 2. On page 172, § 10.201 is revised to read as follows:

§ 10.201 Applicability.

Title II of Pub. L. 102-182 (105 Stat. 1233), entitled the Andean Trade Preference Act (ATPA) and codified at 19 U.S.C. 3201 through 3206, authorizes the President to proclaim duty-free treatment for all eligible articles from any beneficiary country and to designate countries as beneficiary countries. The provisions of §§ 10.202 through 10.207 set forth the legal requirements and procedures that apply for purposes of obtaining that duty-free treatment for certain articles from a beneficiary country which are identified for purposes of that treatment in General Note 11, Harmonized Tariff Schedule of the United States (HTSUS), and in the "Special" rate of duty column of the HTSUS. Provisions regarding preferential treatment of apparel and other textile articles under the ATPA are contained in §§ 10.241 through 10.248, and provisions regarding preferential treatment of tuna and certain other non-textile articles under the ATPA are contained in §§ 10.251 through 10.257.

- 3. On pages 172 and 173, in § 10.202, the introductory text is amended by removing the reference "10.208" and adding, in its place, the reference "10.207", and paragraph (b) is amended by removing paragraphs (b)(1) through (b)(8) and adding, in their place, new paragraphs (b)(1) through (b)(4) to read as follows:

§ 10.202 Definitions.

* * * * *

(b) * * *

(1) Textiles and apparel articles which were not eligible articles for purposes of the ATPA on January 1, 1994, as the ATPA was in effect on that date, except as otherwise provided in §§ 10.241 through 10.248;

(2) Rum and tafia classified in subheading 2208.40, Harmonized Tariff Schedule of the United States;

(3) Sugars, syrups, and sugar-containing products subject to over-quota duty rates under applicable tariff-rate quotas; or

(4) Tuna prepared or preserved in any manner in airtight containers, except as otherwise provided in §§ 10.251 through 10.257.

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- 4. On page 81, § 10.208 is removed from the table of contents for part 10, and on page 177, § 10.208 is removed.

- 5a. On page 81, a new center heading, followed by new §§ 10.241 through 10.248, is added to the table of contents for part 10 to read as follows:

Apparel and Other Textile Articles Under the Andean Trade Promotion and Drug Eradication Act

Sec.

- 10.241 Applicability.
- 10.242 Definitions.
- 10.243 Articles eligible for preferential treatment.
- 10.244 Certificate of Origin.
- 10.245 Filing of claim for preferential treatment.
- 10.246 Maintenance of records and submission of Certificate by importer.
- 10.247 Verification and justification of claim for preferential treatment.
- 10.248 Additional requirements for preferential treatment of brassieres.

- 5b. On page 207, a new center heading, followed by new §§ 10.241 through 10.248, is added to read as follows:

Apparel and Other Textile Articles Under the Andean Trade Promotion and Drug Eradication Act

§ 10.241 Applicability.

Title XXXI of Public Law 107-210 (116 Stat. 933), entitled the Andean Trade Promotion and Drug Eradication Act (ATPDEA), amended sections 202, 203, 204, and 208 of the Andean Trade Preference Act (the ATPA, 19 U.S.C. 3201-3206) to authorize the President to extend additional trade benefits to countries that are designated as beneficiary countries under the ATPA. Section 204(b)(3) of the ATPA (19 U.S.C. 3203(b)(3)) provides for the preferential treatment of certain apparel and other textile articles from those ATPA beneficiary countries which the President designates as ATPDEA beneficiary countries. The provisions of §§ 10.241 through 10.248 of this part set forth the legal requirements and procedures that apply for purposes of obtaining preferential treatment pursuant to ATPA section 204(b)(3) and Subchapter XXI, Chapter 98, HTSUS.

§ 10.242 Definitions.

When used in §§ 10.241 through 10.248, the following terms have the meanings indicated:

Apparel articles. "Apparel articles" means goods classifiable in Chapters 61 and 62 and headings 6501, 6502, 6503, and 6504 and subheadings 6406.99.15 and 6505.90 of the HTSUS.

Assembled or sewn or otherwise assembled in one or more ATPDEA beneficiary countries. "Assembled" and "sewn or otherwise assembled" when used in the context of production of an apparel or other textile article in one or more ATPDEA beneficiary countries has reference to a joining together of two or more components that occurred in one or more ATPDEA beneficiary countries, whether or not a prior joining operation