

WORLD TRADE ORGANIZATION

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Textiles Monitoring Body

Original: English

AGREEMENT ON TEXTILES AND CLOTHING

Notification under Article 2.17

Mauritius

The Textiles Monitoring Body has received a notification from Mauritius pursuant to paragraph 17 of Article 2. The TMB is circulating this notification to WTO Members for their information.

Mauritius Mission to the United Nations, Geneva

4 December 1995

H.E. Mr. A. Szepesi
Chairman
Textiles Monitoring Body
World Trade Organization
1211 Geneva 10

Mr. Ambassador,

I am pleased to enclose for your information and record a copy of the Visa Agreement signed on 12 September 1995 by the Honourable D. Gungah, Minister of Trade and Shipping and H.E. Mr. Leslie M. Alexander, US Ambassador concerning textiles and textile products.

Please accept, Mr. Ambassador, the assurances of my highest consideration.

(signed) P.E. Curé
Minister-Counsellor

VISA ARRANGEMENT

BETWEEN THE GOVERNMENTS OF MAURITIUS AND THE UNITED STATES OF AMERICA CONCERNING TEXTILES AND TEXTILE PRODUCTS

1. DEFINITIONS

A. For the purpose of this arrangement, the term "Textiles" means textiles and textile products of cotton, wool and man-made fibres, vegetable fibres other than cotton, blends of any of the foregoing fibres and blends containing silk, but does not include garments which contain 70 per cent or more by weight of silk (unless they also contain over 17 per cent by weight of wool), or products other than garments which contain 85 per cent or more by weight of silk, as defined in the bilateral agreement.

B. The term "Category" signifies a class of textiles or textile products which may be subject to a quota restriction. The term "Category" includes part categories and merged categories as established in the Bilateral Agreement.

C. A "Visa" is a stamp issued by the government of the country of origin of the textile exported to the United States, or by its representative, which describes the shipment, certifies the country of origin, and authorizes the shipment to be charged against any applicable quota.

2. VISA REQUIREMENTS

A. The Government of Mauritius shall issue a visa for each shipment of textiles produced or manufactured in Mauritius and exported to the United States, regardless of value except as noted in paragraph 2N below, in categories 200-239, 300-369, 400-469, 600-670 and 800-899, as listed in the correlation: Textile and Apparel categories with the Harmonized Tariff Schedule of the United States or successor document. This visa shall be presented to the US Customs Service before entry, or withdrawal from warehouse for consumption, into the customs territory of the United States (the 50 States, the district of Colombia and Puerto Rico).

B. Should additional categories, merged categories or part categories be added to the Bilateral Agreement or become subject to import quotas the merged or part categories shall be automatically included in the coverage of this visa arrangement. Merchandise in the merged or part category(s) exported on or after the date the merged or part category(s) is added to the Agreement or becomes subject to import quotas shall require a visa.

C. A shipment shall be visaed by the stamping of the original circular visa in blue ink on the front of the original commercial invoice or successor document. The original visa shall not be stamped on duplicate copies of the invoice. The original of the invoice with the original visa stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or visa may not be used for this purpose.

D. Each visa stamp will include the following information:

I. The visa number: The visa number shall be in the standard nine digit letter format beginning with one numeric digit for the last digit of the year of export, followed by the two character alpha code specified by the International Organization for Standardization (ISO), (the code for Mauritius is "MU"), and a six-digit numerical serial number identifying the shipment; e.g. 5MU123456.

- II. The date of issuance: The date of issuance shall be the day, month and year on which the visa was issued.
- III. The signature of the issuing official and the printed name of the issuing official: The signature shall be that of an official authorized to issue visas by the Government of Mauritius.
- IV. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity of the shipment in the unit(s) of quantity provided for in the US Department of Commerce correlation and in the Harmonized Tariff Schedule of the United States, annotated or successor documents shall be reported in the spaces provided within the visa stamp, (e.g. "Cat. 434-210 DZ"). Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment. For example, quota category 347/348 may be visaed as "category 347/348" or if the shipment consists solely of category 347 merchandise, the shipment may be visaed as "Category 347", but not as "Category 348". If, however, a merged quota category such as 340/640 has a quota sub-limit on category 340; then there must be a "Category 340" visa for the shipment if it includes category 340 merchandise.
- E. If the quantity indicated on the visa is less than that of the shipment, entry shall not be permitted.
- F. If the quantity indicated on the visa is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.
- G. Entry will not be permitted, except as noted in paragraph 2J below, if the shipment does not have a visa, or if the visa number, date of issuance, signature, printed name of the signer, category, quantity or units of quantity are missing, incorrect, illegible or have been crossed out or altered in any way.
- H. The complete name and address of a company actually involved in the manufacturing process of the textile product covered by the visa shall be provided on the front of the textile document.
- I. The categories, quantities and date of export shall be those determined by the US Customs Service. The United States Customs Service classifies all imports into the Customs Territory of the US in compliance with US Laws and Regulations.
- J. If a visa is not acceptable then a new correct visa or a visa waiver must be presented to the US Customs Service before any portion of the shipment will be released. A visa waiver may be issued by the US Department of Commerce, at the request of the Government of Mauritius. A visa waiver only waives the requirement to present a visa at entry, it does not waive any quota requirements. Visa waivers will only be issued for classification purposes or for one time special purpose shipments that are not part of an ongoing commercial enterprise.
- K. If the visaed invoice is deficient, the US Customs Service will not return the original document after entry, but will provide a certified copy of that visaed invoice for use in obtaining a new correct original visaed invoice, or a visa waiver.
- L. If a shipment from Mauritius has been allowed entry into the commerce of the United States with either an incorrect visa or no visa, and redelivery is requested but cannot be made, the shipment will be charged to the correct category limit whether or not a replacement visa or waiver is provided.

M. The date of export is the actual date the merchandise finally leaves the country of origin. For merchandise exported by vessel, this is the day on which the carrier departs the last port in the country of origin.

N. Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked commercial sample shipments valued at \$US 250 or less do not require a visa for entry and shall not be charged to agreement levels, if applicable.

O. The Government of Mauritius shall provide the Government of the United States with three original, clear, reproducible copies of the visa stamp which shall be the stamp designated for use throughout the entire period the visa arrangement is in effect, and three originals of the signatures of the officials authorized to sign visas. The stamp, and any subsequent changes thereto, must be approved by the Government of the United States. The Government of Mauritius shall notify the Government of the United States at least forty-five days prior to a change in the officials authorized to sign the visa.

P. Either Government may terminate, in whole or in part, this administrative arrangement by giving ninety days written notice to the other.

Signed this 12th Day of September 1995

(Signed)
For the Government of Mauritius

(Signed)
For the Government of the
United States of America