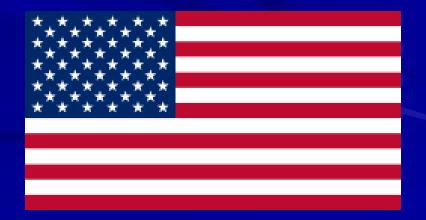
# Expanding Sri Lanka's Exports under the GSP Program

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Office of the U.S. Trade Representative
Executive Office of the President





### Today's presentation

- Purpose: increase U.S. imports from Sri Lanka
- How: one way is to increase Sri Lanka's participation in the GSP program
- Why:
  - Before: exporter obtained Form A to verify product met GSP rules of origin & eligibility
  - Today: producer and exporter must educate the U.S. importer to request GSP duty-free treatment (Form A no longer used by U.S. Customs)

### Presentation Overview

- U.S. Generalized System of Preferences (GSP) Program: purposes, benefits, and operation
- U.S. imports from Sri Lanka under GSP
- Using the U.S. GSP program
- Increasing Sri Lanka's export opportunities

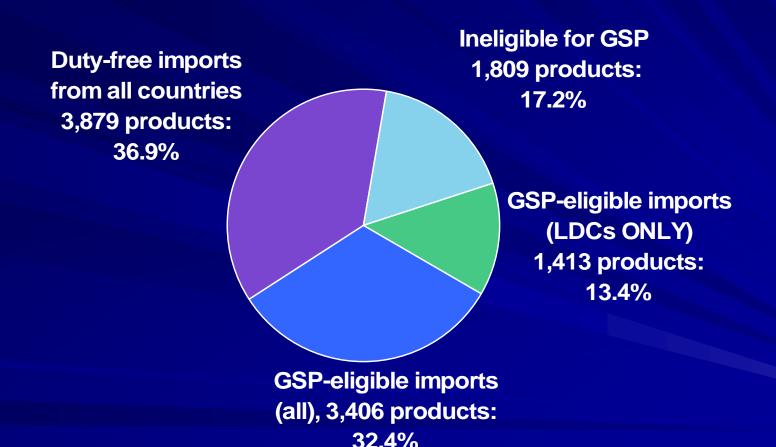
### GSP Program: Purposes

- Created by Congress in 1974
- Provides temporary, unilateral tariff preferences to developing countries
- Seeks to integrate beneficiary countries into world trading system
- Targets benefits to those countries and products that are not yet competitive in the world market
- Includes protections for import-sensitive domestic industries

### GSP Program: Benefits

- Duty-free treatment for imports from 131 countries (43 LDCs)
- Imports are more competitively priced in U.S. market; lower costs for U.S. industry and consumers
- Major U.S. import program: \$32.6billion in 2006; up 22% over 2005

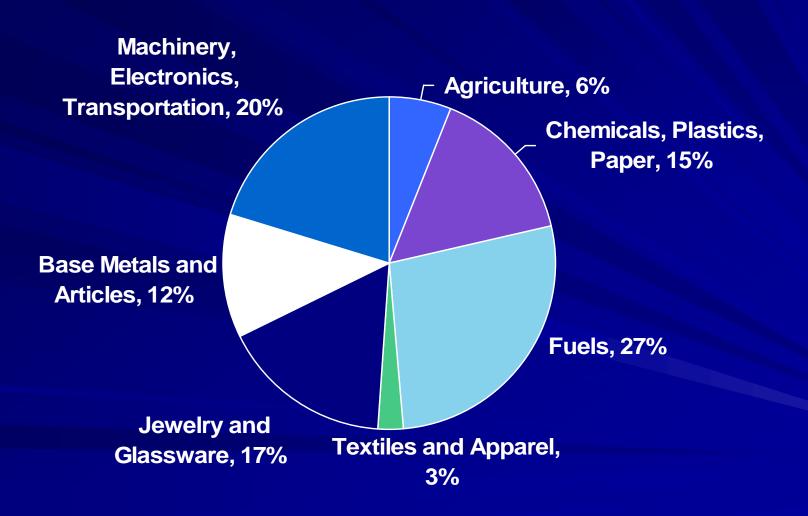
# How many products are eligible for GSP duty-free treatment?



### Products NOT eligible for GSP

- Most textile and apparel articles
- Most watches
- Footwear, handbags, and luggage
- Flat goods (kitchen and bed linens)
- Work gloves
- Most leather wearing apparel
- Import-sensitive electronic, steel, and semimanufactured and manufactured glass products

### Types of U.S. imports that received GSP duty-free treatment in 2006



### U.S. Imports from Sri Lanka Under GSP in 2006

- 14<sup>th</sup> top user of GSP benefits
- **\$143.6** million (up 4.4% from 2005)
- GSP: 6.8% of \$2.1 billion total imports
- 160 (4.7%) of 3406 GSP-eligible product types\*
- Importers saved \$5.7 million in duties

<sup>\*</sup> U.S. importers did not claim GSP duty-free treatment for an additional 35 GSP-eligible product types

# Top U.S. Imports from Sri Lanka (by trade) under GSP (YTD 8/07)

- Rubber tires: \$27 million (3.4% duty)
- Plastic sacks & bags: \$13 million (3%)
- Rubber gloves: \$11.7 million (3%)
- Activated carbon: \$8.4 million (4.8%)
- Weighing machine weights: \$4.5 million (2.8%)
- Gold jewelry: \$3.4 million (5.5%)
- Porcelain/china household ware: \$3.4m (6-8%)
- Rubber floor coverings: \$2.7million (2.7%)

### Top U.S. imports from Sri Lanka by duties saved

- Porcelain/china kitchenware in sets not over \$56: 26% duty
- Silk blend ponytail ties & headbands: 14.6% duty (42% of all imports not claimed under GSP)
- Silver & imitation jewelry: 11-13.5% duty
- Gemstones: 10%
- Brooms & brushes of twigs or vegetable materials: 10%
- National flags: 7% (54% of imports not claimed)

### Competitive Need Limitations

- 2007: \$130 million annual trade or more than 50% of all U.S. imports of that item
- Petitioned waiver? Not yet necessary
- De minimis waiver (annual): when total U.S. imports of a product from all countries are under \$18.5 million (2007)
  - Automatically considered but President has discretion to grant
  - Public comments accepted in late February after full-year 2007 data available and after issuance of a Federal Register notice
- Sri Lanka: currently has a *de minimis* waiver for 9603.10.90 brooms & brushes of twigs or vegetable materials (\$1m in trade YTD 2007, but 54% market share)

# How to qualify for duty-free treatment under GSP

(1) Product must be included in U.S. tariff list of GSP-eligible articles (and not excluded from Sri Lanka). Look for the "A" or "A\*" in the far right column ------

6307.90.75	00	Toys for pets, of textile materials	No kg	4.3%	Free (BH,CA, CL,E*,IL, J*,JO, MX, P,SG) 1.8% (MA)
6307.90.85	00	Wall banners, of man-made fibers	kg	5.8% <u>1</u> /	3% (AU) Free (A,BH,CA, CL,E,IL,J, CL,IL,JO, MX, P,SG)

# How to qualify for duty-free treatment under GSP

(2) Product must be imported directly from Sri Lanka or pass through another country on a "through bill of lading" \* (19 CFR 10.175)

\*Shows that export has been sold and placed for through shipment to the United States

### 35% value-added requirement

- Cost of Sri Lankan inputs and labor must equal 35% of product's price when sold
- To count toward that 35%, imported inputs must be "substantially transformed" in Sri Lanka and then used to help produce or manufacture item
- "Substantially transformed" means that the item's name, character, or use differs from when it was imported

### Agricultural exports

- Ensure products are free from microbial contamination, foreign material, pests, diseases, and chemical residues
- Must comply with USDA or FDA requirements
- Care must be taken during each step:
  - Production Packing Shipping (fresh products)
  - Production Processing Packaging Packing
    - Shipping (processed products)

# Producer required to keep these records for five years

- Verification of 35 percent rule-of-origin:
  - Dated invoices for materials used to produce good and from where
  - Description of product, quantity, and costs
- If processing operations are involved:
  - Description of processing and location
  - Direct costs of processing operations
- For agricultural exports:
  - Producer's statement verifying on which farm and town the product is grown
  - Description of product and quantity
  - Dated invoices for costs incurred

# Claiming GSP duty-free treatment

- Exporter no longer needs to submit Form A but needs to tell the importer that the...
- Importer MUST REQUEST GSP dutyfree treatment for each qualified item
- GSP treatment is NOT automatic
- Write an "A" before the tariff number on Customs entry form 7501

### Claiming GSP on Entry Form 7501

The U.S. importer must place an "A" in column 27, in front of the tariff number

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## How to increase imports under GSP from Sri Lanka

- Ensure Customs forms are properly marked to avoid paying duties.
- Increase exports of GSP-eligible textile and apparel products.
- Export certified handicrafts and other artisanal items
- Identify Sri Lanka's exports to other countries that are GSP-eligible
- Cumulate within SAARC

# Ensure GSP-eligible products get GSP duty-free treatment

- \$111.7m of GSP-eligible imports from Sri Lanka from YTD 2007 (Aug)
- 89% of these imports entered duty-free
- Sri Lankan businesses and their U.S. importers could have saved an additional \$480,000 in duties assessed on \$12 million of Sri Lankan GSP-eligible exports (that were not claimed under GSP)

### Extra Duties Paid on...

- \$2.75 million in rubber gaskets and seals (2.5% tariff = \$69,000 duties paid)
- \$2.6 million in plastic hangars (3% tariff = \$78,000 duties paid)
- \$1.2 million in national flags (7% tariff = \$82,000 duties paid)

### Low rate of GSP claims for:

- Headbands & ponytail holders: 14.6% duty
- Gemstones and silver and imitation jewelry: 5%-11%
- Porcelain, china and ceramic products: 6%-9.8%
- National flags: 7%
- Women's silk blend dresses: 6.9%
- Exercise/sports equipment and apparel: 2.8%-5.5%
- Products of plastics: 3%-5.3%
- Fishing casts, line and hooks: 4.8%
- Activated carbon: 4.8%
- Optical and measuring instruments: 1.7-4.5%
- Products of rubber: 2.5%-4%
- Music boxes: 3.2%
- Parachutes: 3%
- Coconuts: 1%

# Untapped Textile and Apparel Opportunities under GSP

#### ■ Jan-Sept 2007 imports:

- \$4.8m in hats, silk blend headbands, headgear, national flags, wall hangings, sports gloves
- tariff savings: up to 14.6% but \$1.6m (33%) not claimed under GSP

#### Untapped potential:

- Silk and silk blend: fabrics, shawls, women's and men's apparel, handkerchiefs, kitchen linen
- Other: carpets, apparel and accessories of plastic

# Handmade, Folkloric Crafts and Home Decor

- Use GSP certified handicraft arrangement (wall hangings, cushion covers)
- Other artisanal items that can enter duty-free (GSP or MFN)
  - games, racket strings, and cotton hammocks
  - paintings, sculpture, and wall hangings
  - many types of carpets, kilims, tapestries and rugs
  - wooden furniture, statuettes, boxes, and picture frames
  - walking sticks
  - wind, string, and drum musical instruments

# Export more of Sri Lanka's GSP-eligible exports to the U.S.

- Marble
- Walnuts, mixtures of dried fruits and nuts, natural gums, dried lentils
- Candies and food preparations
- Fish, shrimp, crab, and other shellfish
- Jewelry of all types; cut gemstones
- Green tea and spices
- Electrical machinery & equipment

### Special provisions for regional associations

- The South Asian Association for Regional Cooperation (SAARC) is recognized as a regional association under GSP
- Means that SAARC is considered as one country for purposes of the GSP rules of origin
- Articles produced in two or more eligible member countries of SAARC are given GSP duty-free treatment if the countries together meet the rules of origin (in terms of a non-SAARC member)

# Opportunity for Sri Lanka and LDCs in SAARC to work together

- Cumulation of production can occur between Sri Lanka and a least-developed SAARC member to produce an item eligible for duty-free treatment only from least-developed GSP beneficiaries, as long as the article is imported directly by the United States from the least-developed beneficiary
- Least-developed SAARC beneficiaries under GSP: Afghanistan, Bangladesh, and Nepal

(Note: the Maldives is not a GSP beneficiary so is not eligible for cumulation within SAARC)

### For Additional Information

### Office of the U.S. Trade Representative Website

GSP guidebook, GSP-eligible & ineligible products, notices

http://www.ustr.gov/Trade\_Development/Preference\_Programs/GSP/Section\_Index.html

### **Agricultural Export Requirements**

- http://www.fas.usda.gov/itp/ofsts/SPS.html
- http://www.fsis.usda.gov/regulations\_&\_policies/port\_of\_ entry\_procedures/index.asp

### USTR Website: 2007 GSP-Eligible Products

2007 GSP-Eligible Products

GSP Products in 2007 HTS including LDBDCs

GSP Products in 2007-BDCs only

Non-GSP-Eligible
Products in
2007

GSP-Eligible
Agriculture
Products 2007

GSP Eligible Textile and Apparel Products
2007

GFP Eligible
Carpets
2007

Handicraft Items List 2007 (MFN Duty-Free, GSP-eligible and Dutiable)

### For Additional Information

#### **U.S. Tariff Schedule**

http://www.usitc.gov/tata/hts

### Department of Homeland Security: Customs & Border Protection

http://www.customs.gov/xp/cgov/import/

- Customs Entry Form 7501: <a href="https://forms.customs.gov/customsrf/getform-harness.asp?formName=cf-7501-form.xft">https://forms.customs.gov/customsrf/getform-harness.asp?formName=cf-7501-form.xft</a>
- http://www.customs.treas.gov/xp/cgov/toolbo x/ publications/

### Sthuthi!

