

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

# Classification of Knit to Shape Garments under HTSUS Heading 6110



AN INFORMED COMPLIANCE PUBLICATION

MAY 2008

**U.S. CUSTOMS and BORDER PROTECTION**

**NOTICE:**

This publication is intended to provide guidance and information to the trade community. It reflects the position on or interpretation of the applicable laws or regulations by U.S. Customs and Border Protection (CBP) as of the date of publication, which is shown on the front cover. It does not in any way replace or supersede those laws or regulations. Only the latest official version of the laws or regulations is authoritative.

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**PRINTING NOTE:**

This publication was designed for electronic distribution via the CBP website (<http://www.cbp.gov>) and is being distributed in a variety of formats. It was originally set up in Microsoft Word 2003<sup>®</sup>. Pagination and margins in downloaded versions may vary depending upon which word processor or printer you use. If you wish to maintain the original settings, you may wish to download the .pdf version, which can then be printed using the freely available Adobe Acrobat Reader<sup>®</sup>.

## PREFACE

On December 8, 1993, Title VI of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), also known as the Customs Modernization or “Mod” Act, became effective. These provisions amended many sections of the Tariff Act of 1930 and related laws.

Two new concepts that emerge from the Mod Act are “***informed compliance***” and “***shared responsibility***,” which are premised on the idea that in order to maximize voluntary compliance with laws and regulations of U.S. Customs and Border Protection, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the Mod Act imposes a greater obligation on CBP to provide the public with improved information concerning the trade community’s rights and responsibilities under customs regulations and related laws. In addition, both the trade and U.S. Customs and Border Protection share responsibility for carrying out these requirements. For example, under Section 484 of the Tariff Act, as amended (19 U.S.C. 1484), the importer of record is responsible for using reasonable care to enter, classify and determine the value of imported merchandise and to provide any other information necessary to enable U.S. Customs and Border Protection to properly assess duties, collect accurate statistics, and determine whether other applicable legal requirements, if any, have been met. CBP is then responsible for fixing the final classification and value of the merchandise. An importer of record’s failure to exercise reasonable care could delay release of the merchandise and, in some cases, could result in the imposition of penalties.

Regulations and Rulings (RR) of the Office of International Trade has been given a major role in meeting the informed compliance responsibilities of U.S. Customs and Border Protection. In order to provide information to the public, CBP has issued a series of informed compliance publications on new or revised requirements, regulations or procedures, and a variety of classification and valuation issues.

This publication, prepared by the National Commodity Specialist Division, ORR, is a guide to certain provisions of Harmonized Tariff Schedule of the United States (HTSUS) heading 6110. “Classification of Knit to Shape Garments under HTSUS Heading 6110” provides guidance regarding the classification of imported merchandise. We sincerely hope that this material, together with seminars and increased access to rulings of U.S. Customs and Border Protection, will help the trade community to improve voluntary compliance with customs laws and to understand the relevant administrative processes.

The material in this publication is provided for general information purposes only. Because many complicated factors can be involved in customs issues, an importer may wish to obtain a ruling under Regulations of U.S. Customs and Border Protection, 19 C.F.R. Part 177, or to obtain advice from an expert who specializes in customs matters, for example, a licensed customs broker, attorney or consultant.

Comments and suggestions are welcomed and should be addressed to the Executive Director, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW, (Mint Annex), Washington, D.C. 20229.

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<b>DEFINITION AND APPLICABLE TARIFF PROVISIONS .....</b>	<b>7</b>
<b>CERTAIN CHINESE-ORIGIN KNIT TO SHAPE GARMENTS - EXCLUSION FROM QUOTA.....</b>	<b>7</b>
<b>SUMMARY OF STATISTICAL NOTE 6 TO CHAPTER 61, HTSUS REQUIREMENTS .....</b>	<b>8</b>
<b>COMPARISON CHART: CHAPTER 61, STATISTICAL NOTE 6 VERSUS 19 C.F.R. 102.21 .....</b>	<b>9</b>
<b>ANALYZING KNIT TO SHAPE GARMENTS FOR PURPOSES OF STATISTICAL NOTE 6.....</b>	<b>9</b>
Components.....	10
Necklines and Armholes.....	11
Shaping by Full Fashion Knitting.....	11
Shaping with Lines of Demarcation .....	12
Collars and Neckbands .....	14
Capping.....	15
Plackets.....	16
Pockets .....	17
Inserts .....	18
Cutting.....	18
Linking and Looping .....	19
Sewing .....	19
Other Garment Features .....	20
<b>FREQUENTLY ASKED QUESTIONS .....</b>	<b>22</b>
<b>ADDITIONAL INFORMATION.....</b>	<b>26</b>
The Internet.....	26
Customs Regulations .....	26
Customs Bulletin .....	26
Importing into the United States .....	27
Informed Compliance Publications.....	27
Value Publications.....	28
“Your Comments are Important” .....	29

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## DEFINITION AND APPLICABLE TARIFF PROVISIONS

Heading 6110 of the Harmonized Tariff Schedule of the United States (HTSUS) provides for “Sweaters, pullovers, sweatshirts, waistcoats (vests) and similar articles, knitted or crocheted.” Within heading 6110, HTSUS, there are multiple 10-digit reporting numbers (statistical suffixes) which provide for “knit to shape articles described in Statistical Note 6 to [Chapter 61]”, HTSUS.

Statistical Note 6 to Chapter 61, HTSUS defines “knit to shape” for these 10-digit reporting numbers, stating:

For the purposes of statistical reporting under **heading 6110**, the term “knit to shape” means garments knit to shape on **flat-knitting machines**, having **a stitch count exceeding 9 stitches per 2 centimeters, but less than or equal to 18 stitches per 2 centimeters**, measured on the outer surface of the fabric, in the direction in which the stitches are formed. For purposes of this statistical note, **in the instances where both knit and purl stitches are usually counted, the purl stitches will be disregarded, and only the knit stitches** on the outer surface of the fabric **will be counted**. **All of the garment’s components**, which include, but are not limited to, collars, plackets, cuffs, waistbands and pockets, **are knit to shape**. **All of the components are assembled by looping and linking**, including the side seams.

The following 10-digit reporting numbers within heading 6110, HTSUS, provide for “knit to shape” articles:

6110.20.1026	6110.20.1031	6110.20.2067
6110.20.2077	6110.30.2051	6110.30.2061
6110.30.3051	6110.30.3057	6110.90.9067
6110.90.9071	6110.90.9079	6110.90.9081

Garments classified in these 10-digit provisions are covered by textile categories 338/339/638/639.

## CERTAIN CHINESE-ORIGIN KNIT TO SHAPE GARMENTS - EXCLUSION FROM QUOTA

The Memorandum of Understanding (MOU) between the United States of America and the People’s Republic of China, implemented on January 1, 2006, for goods exported on or after that date through December 31, 2008, allows for the exclusion from quota of knit to shape articles made in China classified in the 10-digit reporting numbers set forth above. Consequently, while these Chinese-origin articles are covered by textile categories 338/339/638/639, they are not subject to quota. Nevertheless, garments made in China that do not meet the requirements of Statistical Note 6 to Chapter 61, HTSUS, are not classified in any of the HTSUS subheadings

listed above and are subject to quota. Additionally, non-Chinese origin articles classified in these 10-digit reporting numbers may be subject to quota. Quota and visa requirements are the result of international agreements that are subject to frequent renegotiations and changes. To obtain the most current information on quota and visa requirements applicable to this merchandise, we suggest you check, close to the time of shipment, the "Textile Status Report for Absolute Quotas" which is available on our web site at [www.cbp.gov](http://www.cbp.gov).

CBP emphasizes that the exception from quota only applies to Chinese-origin garments classified in the 10-digit reporting numbers set forth above. Articles that are not classified in these provisions because they fail to meet the terms of Heading 6110, its subheadings, or Statistical Note 6 are not excluded from quota as "knit to shape" articles. For example, Heading 6110, HTSUS, does not provide for lower body garments and, as a result, pants cannot be excluded from quota as knit to shape articles.

## **SUMMARY OF STATISTICAL NOTE 6 TO CHAPTER 61, HTSUS REQUIREMENTS**

- The garment must be classified in heading 6110 as an "Other" garment.
  - Vests and tank tops are not included.
  - Only specific HTSUS numbers in chief weight of cotton and man-made fibers are involved.
- All components must be knit to shape on flat-bed knitting machines.
- All components must be assembled by linking and looping.
- The special stitch counting rule for Statistical Note 6 applies. The stitch count of the garment under the special rule must be more than 9 stitches per 2 centimeters but must not exceed 18 stitches per 2 centimeters.

**PLEASE NOTE:** The guidance set forth in this Informed Compliance Publication ("ICP") is applicable only in determining whether a garment is classified as a "knit to shape" garment for purposes of statistical reporting under heading 6110, HTSUS.

The material in this publication is provided for general information purposes only. While this publication provides general information on the subject, determinations on whether a garment is classified as a "knit to shape" garment for purposes of statistical reporting under heading 6110, HTSUS, must be based on the text of Statistical Note 6 to Chapter 61, HTSUS. CBP cautions importers not to rely on any definition of "knit to shape" other than the one set forth in Statistical Note 6 to Chapter 61, HTSUS.

Note that this ICP is not applicable to country of origin determinations under 19 C.F.R. 102.21. For general information on this topic, CBP recommends consulting the



ICP, What Every Member of the Trade Community Should Know About: Country of Origin of Knit to Shape Apparel Products (March 2006).

## COMPARISON CHART: CHAPTER 61, STATISTICAL NOTE 6 VERSUS 19 C.F.R. 102.21

Chapter 61 Statistical Note 6	Customs Regulations 19 C.F.R. 102.21
<p><b>Used to determine <u>classification within Heading 6110 only.</u></b></p> <p><b><u>All components</u> must be knit to shape.</b></p> <p><b><u>Components include</u> collar, cuffs, waistband, placket, pockets, etc.</b></p> <p><b><u>Both</u> neckline and armhole must be knit to shape.</b></p> <p><b>Components must be linked and looped.</b></p> <p><b>Components must be knit on a flat-bed machine.</b></p> <p><b>Specific stitch count limits the application of the note.</b></p>	<p><b>Used to determine <u>country of origin only.</u></b></p> <p><b><u>Major parts</u> must be knit to shape.</b></p> <p><b><u>Major parts do not include</u> collar, cuffs, waistband, placket, pockets etc.</b></p> <p><b><u>Either</u> neckline or armhole must be knit to shape.</b></p> <p><b>Method of assembly is not specified.</b></p> <p><b>Type of knitting machine is not specified.</b></p> <p><b>Used for all applicable goods. Stitch count is not a limitation.</b></p>

## ANALYZING KNIT TO SHAPE GARMENTS FOR PURPOSES OF STATISTICAL NOTE 6

Note: when in the following discussion we use terms such as “must have,” or “acceptable” or “unacceptable,” we are referring to conditions that must be satisfied in order for a garment to be classified under the “knit to shape” provisions described above.

## Components

Components include, but are not limited to:

- ❑ Front and back panels and sleeve panels
- ❑ Collars (including neckbands)
- ❑ Plackets (both outside and inside placket sections)
- ❑ Cuffs
- ❑ Waistbands
- ❑ Pockets (including pocket welts and pocket bags)
- ❑ Linings (see FAQ #10, below)
- ❑ Capping
- ❑ Inserts
- ❑ Hoods

To be considered knit to shape, all components must have:

- ❑ Self-start bottoms
- ❑ Self-finished sides (selvage edges)



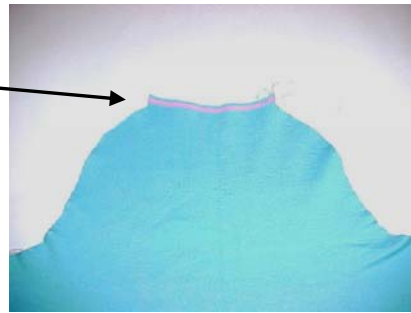
***The most common types of self-start bottoms are rib knit and tubular knit.***

**Waste yarn is allowed between finished components** (such as is commonly seen between collar and cuff components or at the shoulder or sleeve cap).



***Shoulder with waste yarn***

***Waste  
yarn***



***Sleeve cap with waste yarn***

## Necklines and Armholes

Front and back panels must have **self-start bottoms and self-finished sides** and **must also have shaping at the FRONT AND BACK necklines and at the armholes**. Sleeves must have self-start bottoms and self-finished sides and **must also have** shaping at the armholes.

***Neckline and armhole shaping may be accomplished by FULL FASHION KNITTING or with ACCEPTABLE LINES OF DEMARCATION.***

## Shaping by Full Fashion Knitting

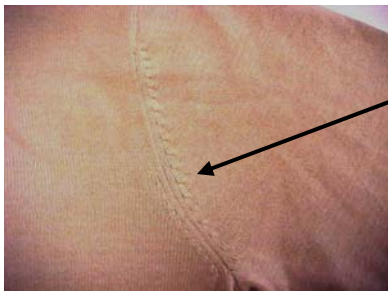
The panels are fully shaped on a flat knitting machine by increasing or decreasing the number of wales to create the contour of the garment.



***Front panel is shaped and has a finished (contoured) neckline and armholes.***



***Sleeve panel is shaped and is contoured at the armhole.***



***Full fashion marks at the armhole.***

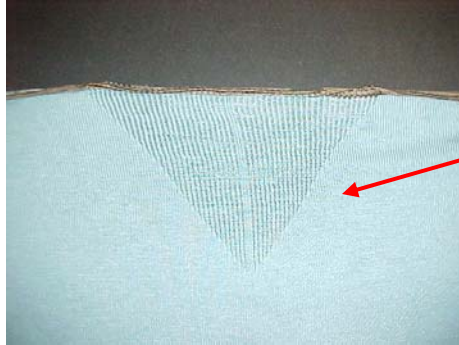
***Fashion marks are formed by transferring stitches to adjacent needles to create a contour.***



***Contoured crew neckline. ACCEPTABLE***

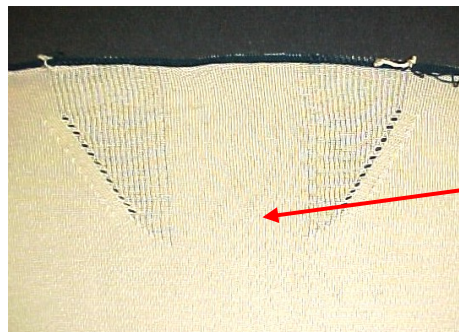
## Shaping with Lines of Demarcation

- Lines of demarcation must be **clear and continuous** and **created by a visible change in knit pattern.**



**ACCEPTABLE** clear  
and continuous lines  
of demarcation

- **Partial lines of demarcation** that do not delineate the full neckline are not acceptable.



**Center area lacks  
demarcation.**

**NOT ACCEPTABLE**

**PANEL IS NOT  
KNIT TO SHAPE**

- **Marker holes** that indicate where the collar or neckband will be attached are not sufficient to delineate the neckline.



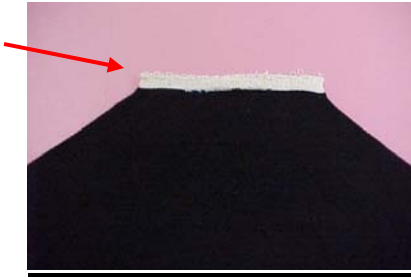
**Marker holes do  
not delineate a  
neckline.**

**NOT ACCEPTABLE**

**PANEL IS NOT  
KNIT TO SHAPE**

- **Waste yarn alone does not delineate a neckline.** Whether it is a relatively straight neckline (as when the garment has raglan sleeves) or curved (as when the garment has set-in sleeves), **the neckline must have delineation. Waste yarn alone is not sufficient to delineate the neckline.**

***Waste yarn alone at the rear neckline is not sufficient.***  
**NOT ACCEPTABLE**



***Lines of demarcation at the rear neckline of a raglan sleeve garment.***  
**ACCEPTABLE**



- Demarcation that is shown by a **change in color alone is not acceptable.**



***The neckline and armholes are delineated by a change in the color of the yarn (rather than by a change in knit pattern.)***

**NOT ACCEPTABLE**

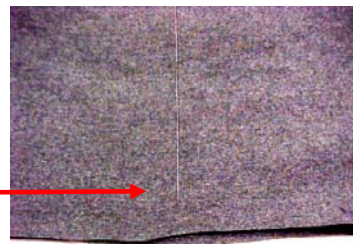
**PANEL IS NOT KNIT TO SHAPE**

- Acceptable lines of demarcation may also show where a cut is necessary for the placket. If the garment has a full front opening, the demarcation must extend to the bottom of the panel.

***The line of demarcation indicating the front opening does not extend through the rib knit at the bottom of the panel.***

**NOT ACCEPTABLE**

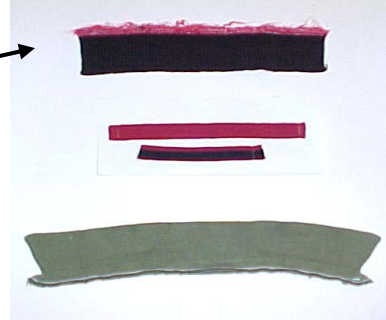
**PANEL IS NOT KNIT TO SHAPE**



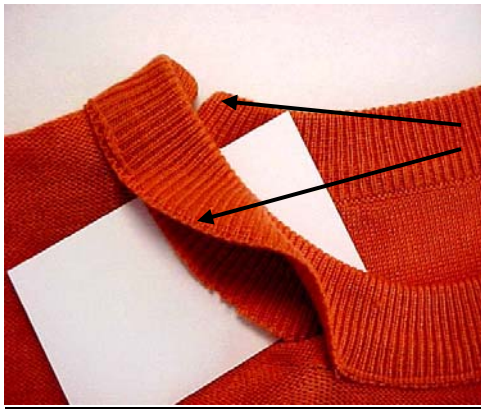
## Collars and Neckbands

Collars and neckbands must be knit to shape with a self-start bottom and self-finished sides. Waste yarn that is found between components as they are knit on the machine is allowed.

*Waste yarn is shown on the neckband.*



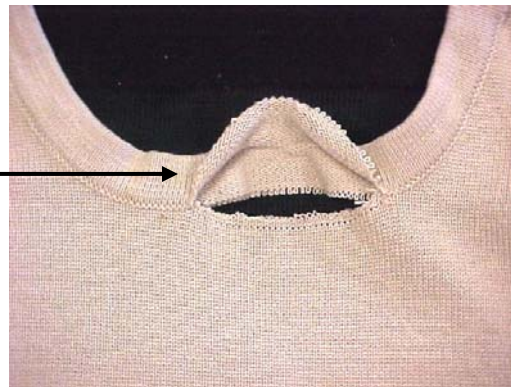
*Waste yarn is shown on a flat knit collar.*



*This neckband has a self-start bottom and self-finished sides (selvage edge) and is knit to shape.*

**ACCEPTABLE**

*This neckband does not have a self-start bottom and is not knit to shape.*



**NOT ACCEPTABLE**



*Self-finished sides (selvage edges) are required on all components.*

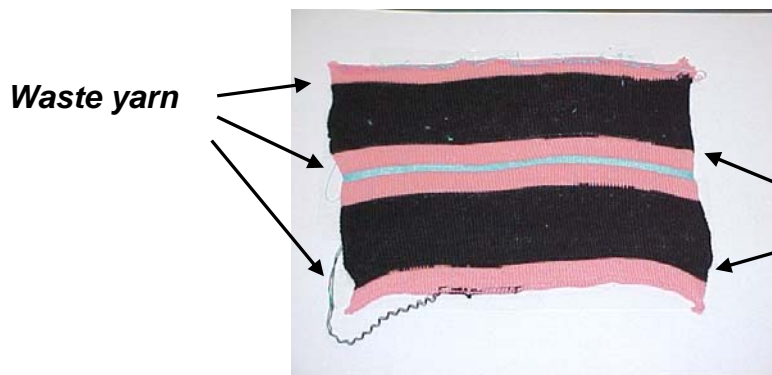
## Capping

**Capping** is used to finish the neckline, sleeves, pockets, placket etc. It is considered a component of the garment for purposes of Statistical Note 6 and **must be knit to shape with a self-start bottom and self-finished sides.**



*Capping at the neckline*

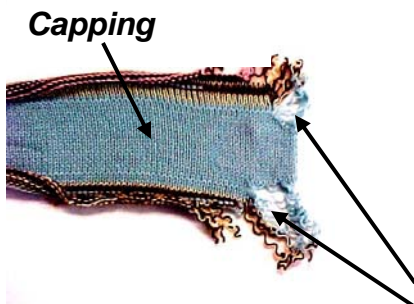
**Capping that is formed as strips of knit fabric is not considered “knit to shape” for purposes of Statistical Note 6.** Capping must be **shaped** on the knitting machine **with a self-start bottom and self-finished sides** to the width and length required for the garment.



**NOT ACCEPTABLE**

*The black section does not have a self-start bottom that is required for capping to be considered knit to shape.*

Shown above are two sections of capping material (black) separated by waste yarn. To be considered knit to shape, the capping component (black section) requires a self-start bottom and self-finished (selvage) sides.



*The capping material should not unravel at both ends. This indicates that the component does not have a self-start bottom.*



*This capping was formed as a continuously knit strip without a self-start bottom. **NOT ACCEPTABLE***

## Plackets

Placket components must be knit to shape with self-start bottoms and self-finished sides. This includes the placket tape that may form the inside or outside of the placket and the capping that often forms the placket of a zippered opening. Woven placket components are not acceptable.



***Placket components must be knit to shape and linked to the garment.***

***These placket components have a self-start bottom and self-finished sides.***  
**ACCEPTABLE**

***Cutting placket tape to length is NOT ACCEPTABLE***

***Placket tape should be knit to the length used in the garment with a self-start bottom and self-finished sides.***



***Capping forms the zippered placket. The capping must be knit to shape with a self-start bottom and self-finished sides.***





## Pockets

All components that make the pocket must be knit to shape with self-start bottoms and self-finished sides. This includes pocket edges, welt edges and any capping used to finish the pocket, as well as the pocket bag itself. Waste yarn that is found between components as they are knit on the machine is allowed.



***All pockets, including patch pockets, kangaroo pockets, pouch pockets, etc., must be knit to shape and linked to the garment.***

***Pocket edgings and pocket welts must also be knit to shape. Cutting to width or length is not allowed.***



***Pocket bags are the inside portion of the pocket. They may be constructed in various ways but they must have self-start bottoms and self-finished sides and they must be assembled by linking or looping. Sewing is not allowed.***

***Two pocket bags showing waste yarn between components.***

## Inserts

**Inserts are components that complete a panel or another component.** They must be knit to shape with self-start bottoms and self-finished sides and must be linked and looped onto the garment.



*Triangular insert at the center neckline has been knit to shape.*

**ACCEPTABLE**



*Side panel insert has been knit to shape with full fashion marks at the armhole.*

**ACCEPTABLE**

## Cutting

**Cutting** a component is **not allowed**, with **two exceptions**:

- ❑ Cutting along **acceptable clear and continuous lines of demarcation** at the **neckline, armhole, center placket or pocket opening** is acceptable. (see HQ 968116)
- ❑ **Cutting to form the shoulder slope is allowed.** The shoulder seam may be reinforced with overlock stitching (and reinforcement tape) but **the shoulder seam must also be linked or looped.** (see HQ 968116)



*The shoulder slope has been shaped. The shoulder seams have been assembled by linking and reinforced with overlock stitching.*

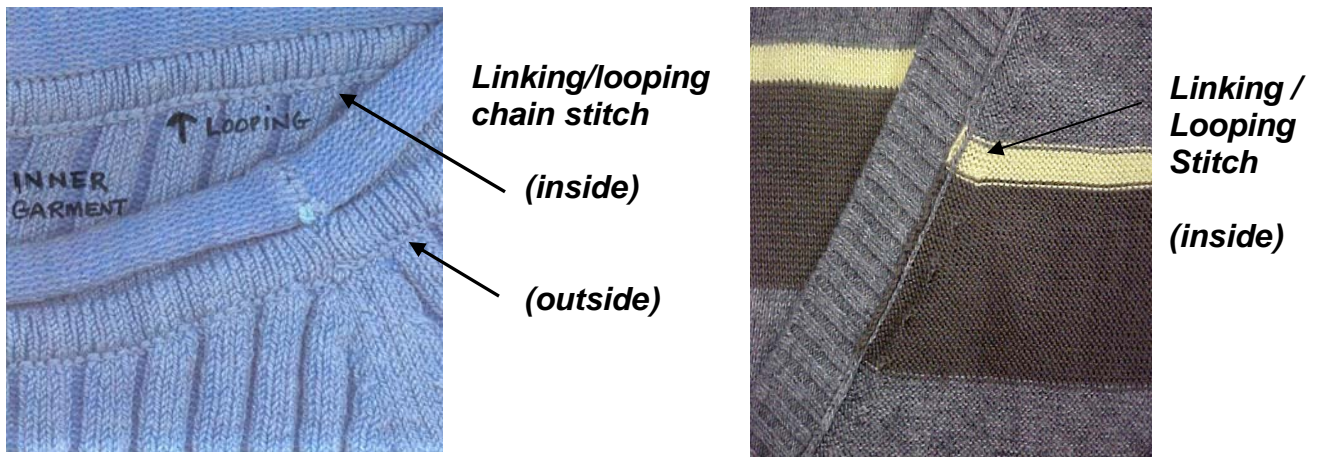
**ACCEPTABLE**

- ❑ Plackets, pocket edges, neckbands, collars, waistbands, capping, etc. **must be knit to shape and length. Cutting to length is not allowed.**

## Linking and Looping

All components must be linked and looped. Linking and looping is used to attach panels at the shoulders, armholes, and side seams and to attach neckbands, placket components, capping, patch pockets, pocket edges and pocket welts, pocket bags, waistbands, collars, cuffs, etc.

**Linking and looping stitches appear as a series of chain stitches** along a seam or where a component is joined. **The linking and looping stitch uses the same yarn that is used to knit the garment.**



*Linking and looping stitches*

## Sewing

**Sewing to attach components** to each other is **not allowed**. However, the following stitching is acceptable:

- ❑ overlock stitching at the inside shoulder seam for reinforcement is acceptable **as long as** the shoulder seam has already been joined by linking and looping.
- ❑ Attachment of the zipper
- ❑ Attachment of beads, embroidered appliqués, labels etc.
- ❑ Minor stitching done in a location on the garment where it is not possible to link and loop (e.g., the ends of the placket, neckband, pocket welts, etc.) (See HQ 968116).

## Other Garment Features

Garments with the following features are not considered knit to shape  
This list is not exhaustive, but merely reflects features often found on garments that have been examined:

- ❑ Woven components, such as collars, cuffs, plackets, inserts, etc. (see FAQ #11, below). This includes woven tape or ribbon sewn as part of the placket.
- ❑ Crocheted or raschel knit components, such as panels, sleeves, inserts, etc. (see FAQ #2, below). For example:



*The crocheted piece significantly extends the upper dimension of the front panel.*

**NOT ACCEPTABLE**



*The crocheted piece forms the shoulders of the sleeveless garment.*

**NOT ACCEPTABLE**



*The raschel lace extends the edge of the neckline.*

**NOT ACCEPTABLE**

The following features do not exclude a garment from the knit to shape provisions. This list is not exhaustive, but merely reflects features often found on garments that have been examined:

- ❑ Zippers and corresponding woven zipper tape (see FAQ #15, below)
- ❑ Beads or sequins (see FAQ #12, below)
- ❑ Embroidery (see FAQ #12 below and HQ 968116)
- ❑ Buttons and buttonholes (see FAQ #13, below and HQ 968116)
- ❑ Drawstrings
- ❑ Narrow decorative tape covering the inside rear neck seam

- ❑ Shoulder pads (see FAQ #14, below)
- ❑ Embroidered appliqués
- ❑ Certain narrow crocheted edgings:



***Narrow crocheted edging on a neckline and placket.***  
**ACCEPTABLE**



***Narrow crocheted edging on a neckline***  
**ACCEPTABLE**



***Narrow crocheted edging on a sleeve***  
**ACCEPTABLE**

- ❑ Elbow patches
- ❑ Half-moon (sweat patch) at the inside rear neckline
- ❑ Ordinary hanger loops
- ❑ Ordinary belt loops
- ❑ Overlays sewn onto a complete garment. **The overlay must not be integral to the garment, must not be inserted into a seam, and must not extend the edges of a garment. (It is strongly suggested that classification guidance be sought whenever a possible overlay issue is involved.)**



***This overlay does not change the dimensional coverage of the garment.***  
**ACCEPTABLE**

## FREQUENTLY ASKED QUESTIONS

Q. #1: U.S. Customs and Border Protection (CBP) has previously stated that the flat knitting machine includes an automated one. Would a power flat machine also apply, or do they have to be knit on a hand powered knitting machine?

A.: Knit to shape garment components may be made on a power flat-bed knitting machine. We want to point out that the definition in Statistical Note 6 to Chapter 61, HTSUS, which CBP follows, is different from the language in the Memorandum of Understanding (MOU). However, there is nothing in either definition to preclude the use of power machines. We caution that all of the criteria in Statistical Note 6 to Chapter 61, HTSUS, must be met.

Q. #2: If the garment is crocheted to shape, does it meet the requirements of the statistical note?

A.: No, the note clearly states that the garment is to be knit, not “knit or crocheted.”

Q. #3: I have a 100 percent cotton tank top that is made in accordance with the requirements of Statistical Note 6. Will the garment qualify for the quota exclusion?

A.: No. In order to qualify for the quota exclusion defined in Statistical Note 6, the garment must first be classified in heading 6110. Because tank tops are classified in heading 6109, they would not qualify for the quota exclusion.

Q. #4: The Agreement with China has some very specific language on the knit to shape garments. It states, "All components of the garment are knit to shape and all are looped and linked, including the side seam and pocket (if any)." This is different from CBP's past definition of knit to shape. CBP had previously stated that the term knit to shape applies to any good of which 50 percent or more of the exterior surface area is formed by major parts that have been knitted or crocheted directly to the shape used in the good, with no consideration being given to patch pockets, appliqués, or the like. Minor cutting, trimming, or sewing of those major parts will not affect the determination of whether a good is knit to shape. Are these rules applicable?

A.: No, this new definition is different from our knit to shape rules for country of origin determinations under 19 C.F.R. 102.21. Although previous guidance is still valid for country of origin determinations under 19 C.F.R. 102.21, it is not applicable to the quota-free goods identified by Statistical Note 6 to Chapter 61, HTSUS. For quota purposes, CBP cautions importers not to rely on any definition other than the statistical note for guidance.

Q. #5: I have a V-neck pullover that meets the stitch count requirements of Statistical Note 6 to Chapter 61, HTSUS. The front and back panels have self-start bottoms, self-finished sides, and contoured armholes with full fashion marks. The sleeves also have self-start bottoms, self finish sides and are contoured with full fashion marks. The front and back necklines will be cut along clear and continuous lines of demarcation that are characterized by a change in knit pattern. All panels will be linked and looped together. Will the garment qualify for the quota free provision?

A.: Yes, cutting the neckline along clear and continuous lines of demarcation will not disqualify an otherwise qualifying garment from the quota free provision.

Q. #6: The MOU specifies the products excluded as:

Knit to shape on flat-bed knitting machines, having a stitch count exceeding 9 stitches per 2 centimeters, but less than or equal to 18 stitches per 2 centimeters, measured on the outer surface of the fabric, in the direction in which the stitches are formed. All of the components of the garment are knit to shape and all are looped and linked, including the side seam and pocket (if any).

Please clarify how the stitches should be counted.

A.: For the purposes of Chapter 61, Note 4 and Chapter 61, Statistical Note 3, CBP has not changed its method of counting stitches. However, for the purposes of Chapter 61, Statistical Note 6, the method changes for garments where both the knit and purl stitches are usually counted. In that instance, only the knit stitches on the outer surface will be counted to determine if the garment meets the stitch count requirement of Statistical Note 6. This method of stitch counting is to be used only when the classification determination within heading 6110 involves the knit to shape statistical breakout.

Q. #7: I have a 100% cotton, jersey knit garment classified in heading 6110 that has been knit to shape on a flat-bed knitting machine, having a stitch count of 15 stitches per 2 centimeters. I measured the stitches on the outer surface of the fabric in the direction in which the stitches are formed. All of the components of the garment are knit to shape and are all looped and linked. Will my garment qualify for quota free access?

A.: Yes, from your description, your garment meets the requirements of Statistical Note 6 to Chapter 61, HTSUS, and is therefore exempt from quota.

Q. #8: I have a crew neck, long sleeve knitted garment that has a stitch count of 14 stitches per 2 cm. The back panel of the garment and the sleeves are knit to shape. The front panel is not knit to shape, but is cut to a pattern. Will the garment qualify for quota free access?

A.: Because the front panel is cut and not knit to shape, the garment does not qualify for the new statistical provision and would be subject to quota.

Q. #9: If an otherwise qualifying garment has a patch pocket or spread collar that it not knit to shape, will it qualify for quota exclusion?

A: The note is clear on this issue. All components must be knit to shape. The garment will not qualify for quota exclusion because not all components (patch pockets or spread collar) are knit to shape.

Q. #10: For classification purposes, linings are generally discounted. If an otherwise qualifying garment has a lining that is either woven or not knit to shape, will the garment still qualify for quota exclusion?

A: The lining is considered a component of the garment. The definition in Statistical Note 6 states that all components must be knit to shape. If the lining is either woven or

not knit to shape, it will disqualify the garment from quota exclusion. Any knit to shape lining must also be looped and linked to the garment.

Q. #11: If the garment has a woven collar, cuffs and/or placket, but all other components of the garment satisfy the definition in Statistical Note 6 to Chapter 61, HTSUS, will the garment still qualify for quota exclusion.

A.: The language is clear. These are components that are not knit to shape. The components that are not knit to shape disqualify the garment from the quota free exclusion.

Q. # 12: If an otherwise qualifying garment has an embroidery, beads or sequins, will the garment still qualify for the quota exclusion?

A.: Yes, the embroidery, beads, or sequins will not disqualify the garment from the quota free provision, as they are not components.

Q. #13: If an otherwise qualifying garment has buttons and buttonholes, will the garment still qualify for the quota exclusion?

A.: Yes, the buttons and buttonholes will not disqualify the garment from the quota free provision.

Q. #14: I have an otherwise qualifying garment with sewn-in shoulder pads. Will the garment still qualify for quota free treatment?

A.: Yes, the shoulder pads will not disqualify the garment from quota free treatment.

Q. #15: I have an otherwise qualifying cardigan with a zipper at the front. The zipper is sewn onto the garment. Will the garment still qualify for quota free treatment?

A.: Yes, The sewn on zipper will not disqualify the garment from quota free treatment.

Q. #16: If an otherwise qualifying garment has shoulders that have been trimmed to form the shoulder slope, looped and linked, and reinforced with overlock stitching, will the garment still qualify for the quota exclusion?

A.: Yes, trimming the shoulder to form the shoulder slope will not disqualify the garment provided the shoulder seam has been linked and looped. The overlock reinforcement will not disqualify the garment from the quota exclusion.

Q. #17: I will be importing garments that meet the requirements of Chapter 61, Statistical Note 6. Will it also be necessary for me to obtain a Customs Ruling prior to importation in order to clear my shipments?

A.: No, there is no requirement that a ruling be obtained in order to clear your shipments. There have been no changes to Part 177 Customs Regulations concerning this issue. However, as stated in Part 177.1, "It is in the interest of the sound administration of the Customs and related laws that persons engaging in any transaction affected by those laws fully understand the consequences of that transaction prior to its consummation." Therefore, in certain circumstances, it may be appropriate to obtain a ruling.



Q. #18: Earlier this year I entered some knit to shape garments that had an ELVIS transmission and were charged to China's quota. Now that I have reviewed the language of the technical correction of Chapter 61, Statistical Note 6, I believe my goods should have been quota free. How do I go about removing the quota charge?

A.: In such a case that an importer believes past imports have been incorrectly entered, normal procedures should be followed. The importer should file a post entry claim citing the reasons why the goods should be classified under one of the specified quota-free 6110 subheadings. If approved, the CBP field office, as a normal cause of business, will remove the quota charge.

## **ADDITIONAL INFORMATION**

### **The Internet**

The home page of U.S. Customs and Border Protection on the Internet's World Wide Web, provides the trade community with current, relevant information regarding CBP operations and items of special interest. The site posts information -- which includes proposed regulations, news releases, publications and notices, etc. -- that can be searched, read on-line, printed or downloaded to your personal computer. The web site was established as a trade-friendly mechanism to assist the importing and exporting community. The web site also links to the home pages of many other agencies whose importing or exporting regulations that U.S. Customs and Border Protection helps to enforce. The web site also contains a wealth of information of interest to a broader public than the trade community. For instance, the "Know Before You Go" publication and traveler awareness campaign is designed to help educate international travelers.

The web address of U.S. Customs and Border Protection is <http://www.cbp.gov>

### **Customs Regulations**

The current edition of Customs and Border Protection Regulations of the United States is a loose-leaf, subscription publication available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; telephone (202) 512-1800. A bound edition of Title 19, Code of Federal Regulations is also available for sale from the same address. All proposed and final regulations are published in the Federal Register, which is published daily by the Office of the Federal Register, National Archives and Records Administration, and distributed by the Superintendent of Documents. Information about on-line access to the Federal Register may be obtained by calling (202) 512-1530 between 7 a.m. and 5 p.m. Eastern time. These notices are also published in the weekly Customs Bulletin described below.

### **Customs Bulletin**

The Customs Bulletin and Decisions ("Customs Bulletin") is a weekly publication that contains decisions, rulings, regulatory proposals, notices and other information of interest to the trade community. It also contains decisions issued by the U.S. Court of International Trade, as well as customs-related decisions of the U.S. Court of Appeals for the Federal Circuit. Each year, the Government Printing Office publishes bound volumes of the Customs Bulletin. Subscriptions may be purchased from the Superintendent of Documents at the address and phone number listed above.

## **Importing into the United States**

This publication provides an overview of the importing process and contains general information about import requirements. The current edition of *Importing Into the United States* contains much new and revised material brought about pursuant to the Customs Modernization Act ("Mod Act"). The Mod Act has fundamentally altered the relationship between importers and U.S. Customs and Border Protection by shifting to the importer the legal responsibility for declaring the value, classification, and rate of duty applicable to entered merchandise.

The current edition contains a section entitled "Informed Compliance." A key component of informed compliance is the shared responsibility between U.S. Customs and Border Protection and the import community, wherein CBP communicates its requirements to the importer, and the importer, in turn, uses reasonable care to assure that CBP is provided accurate and timely data pertaining to his or her importation.

Single copies may be obtained from local offices of U.S. Customs and Border Protection, or from the Office of Public Affairs, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Washington, DC 20229. An on-line version is available at the CBP web site. *Importing into the United States* is also available for sale, in single copies or bulk orders, from the Superintendent of Documents by calling (202) 512-1800, or by mail from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7054.

## **Informed Compliance Publications**

U.S. Customs and Border Protection has prepared a number of Informed Compliance publications in the "*What Every Member of the Trade Community Should Know About:...*" series. Check the Internet web site <http://www.cbp.gov> for current publications.

## Value Publications

*Customs Valuation under the Trade Agreements Act of 1979* is a 96-page book containing a detailed narrative description of the customs valuation system, the customs valuation title of the Trade Agreements Act (§402 of the Tariff Act of 1930, as amended by the Trade Agreements Act of 1979 (19 U.S.C. §1401a)), the Statement of Administrative Action which was sent to the U.S. Congress in conjunction with the TAA, regulations (19 C.F.R. §§152.000-152.108) implementing the valuation system (a few sections of the regulations have been amended subsequent to the publication of the book) and questions and answers concerning the valuation system.

*Customs Valuation Encyclopedia* (with updates) is comprised of relevant statutory provisions, CBP Regulations implementing the statute, portions of the Customs Valuation Code, judicial precedent, and administrative rulings involving application of valuation law. A copy may be purchased for a nominal charge from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7054. This publication is also available on the Internet web site of U.S. Customs and Border Protection.

The information provided in this publication is for general information purposes only. Recognizing that many complicated factors may be involved in customs issues, an importer may wish to obtain a ruling under CBP Regulations, 19 C.F.R. Part 177, or obtain advice from an expert (such as a licensed Customs Broker, attorney or consultant) who specializes in customs matters. Reliance solely on the general information in this pamphlet may not be considered reasonable care.

Additional information may also be obtained from U.S. Customs and Border Protection ports of entry. Please consult your telephone directory for an office near you. The listing will be found under U.S. Government, Department of Homeland Security.

## **“Your Comments are Important”**

The Small Business and Regulatory Enforcement Ombudsman and 10 regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement activities and rate each agency’s responsiveness to small business. If you wish to comment on the enforcement actions of U.S. Customs and Border Protection, call 1-888-REG-FAIR (1-888-734-3247).

**REPORT SMUGGLING 1-800-BE-ALERT OR 1-800-NO-DROGA**



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