**U. S. Customs CROSS Review of Eric Flicker’s**

*Published Legal Precedence of Multiple Country Production, Country of Origin Rulings*

Relevance

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[NY M83322](https://rulings.cbp.gov/ruling/M83322)[open\_in\_new](https://rulings.cbp.gov/ruling/M83322)

Classification

[6204.39.6000](http://dataweb.usitc.gov/scripts/tariff_current.asp?Phase=List_items&lookfor=620439)

The tariff classification of a woman’s jacket from China4/17/2007

[NY N008807](https://rulings.cbp.gov/ruling/N008807)[open\_in\_new](https://rulings.cbp.gov/ruling/N008807)

Classification

[6110.20.2079](http://dataweb.usitc.gov/scripts/tariff_current.asp?Phase=List_items&lookfor=611020)

The tariff classification of a woman’s cardigan from China.1/31/2008

[NY N021611](https://rulings.cbp.gov/ruling/N021611)[open\_in\_new](https://rulings.cbp.gov/ruling/N021611)

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[6104.63.2006](http://dataweb.usitc.gov/scripts/tariff_current.asp?Phase=List_items&lookfor=610463)

The tariff classification of a pair of women’s pants from the Commonwealth of the Northern Marianas12/20/2002

[NY I89051](https://rulings.cbp.gov/ruling/I89051)[open\_in\_new](https://rulings.cbp.gov/ruling/I89051)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)1/9/2003

[NY I89361](https://rulings.cbp.gov/ruling/I89361)[open\_in\_new](https://rulings.cbp.gov/ruling/I89361)

Classification

Classification and country of origin determination for a sample of women’s knit skirt; 19 CFR 102.21(c)(4). Dear Mr. Flicker:1/21/2003

[NY I89600](https://rulings.cbp.gov/ruling/I89600)[open\_in\_new](https://rulings.cbp.gov/ruling/I89600)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)1/24/2003

[NY I89601](https://rulings.cbp.gov/ruling/I89601)[open\_in\_new](https://rulings.cbp.gov/ruling/I89601)

Classification

Classification and country of origin determination for a sample of women’s knit skirt; 19 CFR 102.21(c)(2). Dear Mr. Flicker:1/23/2003

[NY I89602](https://rulings.cbp.gov/ruling/I89602)[open\_in\_new](https://rulings.cbp.gov/ruling/I89602)

Classification

Classification and country of origin determination for a sample of women’s knit pants; 19 CFR 102.21(c)(4). Dear Mr. Flicker:6/29/2004

[NY K86617](https://rulings.cbp.gov/ruling/K86617)[open\_in\_new](https://rulings.cbp.gov/ruling/K86617)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)6/29/2004

[NY K86618](https://rulings.cbp.gov/ruling/K86618)[open\_in\_new](https://rulings.cbp.gov/ruling/K86618)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)7/6/2004

[NY K86633](https://rulings.cbp.gov/ruling/K86633)[open\_in\_new](https://rulings.cbp.gov/ruling/K86633)

Classification

Classification and country of origin determination for a sample of women’s knit pants; 19 CFR 102.21(c)(4). Dear Mr. Flicker:8/17/2004

[NY K88182](https://rulings.cbp.gov/ruling/K88182)[open\_in\_new](https://rulings.cbp.gov/ruling/K88182)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)

References: [K86617](https://rulings.cbp.gov/ruling/K86617)

12/10/2004

[HQ 967327](https://rulings.cbp.gov/ruling/967327)[open\_in\_new](https://rulings.cbp.gov/ruling/967327)

Classification

[6105.10.0010](http://dataweb.usitc.gov/scripts/tariff_current.asp?Phase=List_items&lookfor=610510)

Country of Origin of Men’s Cotton Jersey Knit Polo Shirt; Customs Regulations 102.21(c)(4)

References: [K85250](https://rulings.cbp.gov/ruling/K85250) , [958930](https://rulings.cbp.gov/ruling/958930)

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[NY H89566](https://rulings.cbp.gov/ruling/H89566)[open\_in\_new](https://rulings.cbp.gov/ruling/H89566)

Classification

Classification and country of origin determination for two samples of women’s knitwear; 19 CFR 102.21(c)(4)

Modified by: [562423](https://rulings.cbp.gov/ruling/562423)

8/11/2004

[NY K88164](https://rulings.cbp.gov/ruling/K88164)[open\_in\_new](https://rulings.cbp.gov/ruling/K88164)

Classification

Classification and country of origin determination for a woman’s knit pullover; 19 CFR 102.21(c)(2); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

10/6/2004

[NY K89766](https://rulings.cbp.gov/ruling/K89766)[open\_in\_new](https://rulings.cbp.gov/ruling/K89766)

Classification

Classification and country of origin determination for a woman’s knit pullover; 19 CFR 102.21(c)(2); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

11/18/2002

[NY I87329](https://rulings.cbp.gov/ruling/I87329)[open\_in\_new](https://rulings.cbp.gov/ruling/I87329)

Classification

Classification and country of origin determination for a sample of women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

11/26/2002

[NY I87577](https://rulings.cbp.gov/ruling/I87577)[open\_in\_new](https://rulings.cbp.gov/ruling/I87577)

Classification

Classification and country of origin determination for a men’s knit garment; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

11/25/2002

[NY I87635](https://rulings.cbp.gov/ruling/I87635)[open\_in\_new](https://rulings.cbp.gov/ruling/I87635)

Classification

Classification and country of origin determination for a sample of women’s knit shorts; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

12/4/2002

[NY I87722](https://rulings.cbp.gov/ruling/I87722)[open\_in\_new](https://rulings.cbp.gov/ruling/I87722)

Classification

Classification and country of origin determination for a sample of women’s knit skirt; 19 CFR 102.21(c)(2); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

2/11/2003

[NY I89938](https://rulings.cbp.gov/ruling/I89938)[open\_in\_new](https://rulings.cbp.gov/ruling/I89938)

Classification

Classification and country of origin determination for a sample of women’s knit skirt; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

2/11/2003

[NY I89939](https://rulings.cbp.gov/ruling/I89939)[open\_in\_new](https://rulings.cbp.gov/ruling/I89939)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands: General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

2/7/2003

[NY J80232](https://rulings.cbp.gov/ruling/J80232)[open\_in\_new](https://rulings.cbp.gov/ruling/J80232)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

2/28/2003

[NY J80604](https://rulings.cbp.gov/ruling/J80604)[open\_in\_new](https://rulings.cbp.gov/ruling/J80604)

Classification

Classification and country of origin determination for a sample of a woman’s knit shirt; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

2/13/2003

[NY J80605](https://rulings.cbp.gov/ruling/J80605)[open\_in\_new](https://rulings.cbp.gov/ruling/J80605)

Classification

Classification and country of origin determination for a sample of women’s knit pants; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

4/30/2003

[NY J82547](https://rulings.cbp.gov/ruling/J82547)[open\_in\_new](https://rulings.cbp.gov/ruling/J82547)

Classification

Classification and country of origin determination for a sample of women’s knit pants; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

4/24/2003

[NY J82551](https://rulings.cbp.gov/ruling/J82551)[open\_in\_new](https://rulings.cbp.gov/ruling/J82551)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands: General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

4/9/2003

[NY J82784](https://rulings.cbp.gov/ruling/J82784)[open\_in\_new](https://rulings.cbp.gov/ruling/J82784)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands: General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

4/22/2003

[NY J82941](https://rulings.cbp.gov/ruling/J82941)[open\_in\_new](https://rulings.cbp.gov/ruling/J82941)

Classification

Classification and country of origin determination for a men’s knit garment; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

4/22/2003

[NY J82942](https://rulings.cbp.gov/ruling/J82942)[open\_in\_new](https://rulings.cbp.gov/ruling/J82942)

Classification

Classification and country of origin determination for a men’s knit garment; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

5/6/2003

[NY J83029](https://rulings.cbp.gov/ruling/J83029)[open\_in\_new](https://rulings.cbp.gov/ruling/J83029)

Classification

Classification and country of origin determination for a sample of women’s knit tank top; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

7/10/2003

[NY J85681](https://rulings.cbp.gov/ruling/J85681)[open\_in\_new](https://rulings.cbp.gov/ruling/J85681)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands: General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

6/30/2003

[NY J85682](https://rulings.cbp.gov/ruling/J85682)[open\_in\_new](https://rulings.cbp.gov/ruling/J85682)

Classification

Classification and country of origin determination for a sample of a woman’s knit skirt; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

6/30/2003

[NY J85683](https://rulings.cbp.gov/ruling/J85683)[open\_in\_new](https://rulings.cbp.gov/ruling/J85683)

Classification

Classification and country of origin determination for a sample of women’s knit pants; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

6/30/2003

[NY J85746](https://rulings.cbp.gov/ruling/J85746)[open\_in\_new](https://rulings.cbp.gov/ruling/J85746)

Classification

Classification and country of origin determination for a sample of women’s knit pants; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

7/7/2003

[NY J85747](https://rulings.cbp.gov/ruling/J85747)[open\_in\_new](https://rulings.cbp.gov/ruling/J85747)

Classification

Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands: General Note 3(a)(iv), HTSUSA; 19 CFR 7.3(d)

References: [556214](https://rulings.cbp.gov/ruling/556214)

7/1/2003

[NY J85748](https://rulings.cbp.gov/ruling/J85748)[open\_in\_new](https://rulings.cbp.gov/ruling/J85748)

Classification

Classification and country of origin determination for a sample of a woman’s knit shirt; 19 CFR 102.21(c)(4); Commonwealth of the Northern Mariana Islands; General Note 3(a)(iv), HTSUSA. Dear Mr. Flicker:

References: [556214](https://rulings.cbp.gov/ruling/556214)

**Sample Case Study**

K86617: Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)

Ruling Date: Jun 29, 2004

Download

NY K86617

June 29, 2004

CLA-2-61:RR:NC:N3:WA:359:K86617

CATEGORY: Classification

Mr. Eric Flicker
Onwel California, Inc.
1143 East Janis Street
Carson, California 90746

RE:    Classification and country of origin determination for women’s knitwear; 19 CFR 102.21(c)(4)

Dear Mr. Flicker:

    This is in reply to your letter dated June 3, 2004, requesting a classification and country of origin determination for a sample of women’s knitwear that will be imported into the United States. Your sample is returned as requested.

FACTS:

    The subject merchandise consists of a woman’s knitted jacket, Style 2W1OW002, which has a fiber content of 75% cotton, 25% polyester. The jacket has a full-front opening with a zippered closure, a permanently attached self-fabric hood, long sleeves with rib knit cuffs, a rib knit bottom and two front pockets at the waist. The fabric, which is brushed of the outside of the jacket, has more than nine stitches per two centimeters, measured in the direction in which the stitches were formed. You submitted this style in two versions: an incomplete version and a complete one. Exhibit “A” shows the jacket in its incomplete state after processing in China; while Exhibit “B” shows the jacket in its complete state after final processing in Hong Kong.

    The manufacturing operations for the woman’s knitted jacket are as follows:
In China:
-cut fabric into panels
-sew parts of hood together
-sew hood to front panels
-sew pockets to front panels
-sew zipper to front panels
-sew front placket facing to front panels
-sew bottom one-third of front and back panels at side seams
-sew rib knit bottom to front and back panels
-sew bottom third of sleeves
-sew rib knit cuffs to sleeves

In Hong Kong:
-sew front and back panels at shoulder seams
-sew hood to back panel
-sew sleeves to body
-sew upper two-thirds of front and back panels at side seams.

ISSUE:

    What are the classification and country of origin of the subject merchandise?

CLASSIFICATION:

    The applicable subheading for the woman’s knitted jacket will be 6102.20.0010, Harmonized Tariff Schedule of the United States Annotated (HTSUSA), which provides for women’s windbreakers and similar articles, knitted or crocheted, other than those of heading 6104: of cotton: women’s. The rate of duty will be 15.9% ad valorem.

    The jacket falls within textile category designation 335. The designated textile and apparel categories and their quota and visa status are the result of international agreements that are subject to frequent renegotiations and changes. To obtain the most current information, we suggest that you check, close to the time of shipment, the U.S. Customs Service Textile Status Report, an internal issuance of the U.S. Customs Service, which is available at the Customs Web Site at WWW.CUSTOMS.GOV. In addition, the designated textile and apparel categories may be subdivided into parts. If so, visa and quota requirements applicable to the subject merchandise may be affected and should also be verified at the time of shipment.

COUNTRY OF ORIGIN - LAW AND ANALYSIS:

    On December 8, 1994, the President signed into law the Uruguay Round Agreements Act. Section 334 of that Act (codified at 19 U.S.C. 3592) provides new rules of origin for textiles and apparel entered, or withdrawn from warehouse, for consumption, on and after July 1, 1996. On September 5, 1995, Customs published Section 102.21, Customs Regulations, in the Federal Register, implementing Section 334 (60 FR 46188). Thus, effective July 1, 1996, the country of origin of a textile or apparel product shall be determined by sequential application of the general rules set forth in paragraphs (c)(1) through (5) of Section 102.21.

    Paragraph (c)(1) states that "The country of origin of a textile or apparel product is the single country, territory, or insular possession in which the good was wholly obtained or produced." As the subject merchandise is not wholly obtained or produced in a single country, territory or insular possession, paragraph (c)(1) of Section 102.21 is inapplicable.

    Paragraph (c)(2) states that "Where the country of origin of a textile or apparel product cannot be determined under paragraph (c)(1) of this section, the country of origin of the good is the single country, territory, or insular possession in which each of the foreign materials incorporated in that good underwent an applicable change in tariff classification, and/or met any other requirement, specified for the good in paragraph (e) of this section:"

    Paragraph (e) in pertinent part states that "The following rules shall apply for purposes of determining the country of origin of a textile or apparel product under paragraph (c)(2) of this section":

    HTSUS        Tariff shift and/or other requirements

    6101 - 6117        If the good is not knit to shape and consists of two or more component parts, a change to an assembled good of heading 6101 through heading 6117 from unassembled components, provided that the change is the result of the good being wholly assembled in a single country, territory or insular possession.

    Section 102.21(e) states that the good must be assembled in a single country, territory or insular possession. Accordingly, as the jacket is assembled in more than one country, territory or insular possession, it does not satisfy the conditions of the tariff shift and, Section 102.21(c)(2) is inapplicable.

    Section 102.21(c)(3) states that, "Where the country of origin of a textile or apparel product cannot be determined under paragraph (c)(1) or (2) of this section":

    (i) If the good was knit to shape, the country of origin of the good is the single country, territory, or insular possession in which the good was knit; or

    (ii) Except for goods of heading 5609, 5807, 5811, 6213, 6214, 6301 through 6306, and 6308, and subheadings 6209.20.5040, 6307.10, 6307.90, and 9404.90, if the good was not knit to shape and the good was wholly assembled in a single country, territory, or insular possession, the country of origin of the good is the country, territory, or insular possession in which the good was wholly assembled.

    As the subject merchandise is neither knit to shape nor wholly assembled in a single country, Section 102.21 (c)(3) is inapplicable.

    Section 102.21 (c)(4) states, "Where the country of origin of a textile or apparel product cannot be determined under paragraph (c)(1), (2) or (3) of this section, the country of origin of the good is the single country, territory or insular possession in which the most important assembly or manufacturing process occurred".

    In the case of the subject merchandise, the following items constitute the most important assembly processes:

-the sewing of the front and back seams at the shoulders
-the sewing of the hood to the back panel
-the sewing of the sleeves to the body and
-the sewing of the remainder of the side seams,
all of which occur in Hong Kong.

Accordingly, the country of origin of the woman’s knitted jacket is Hong Kong.

HOLDING:

    The country of origin of the woman’s knitted jacket is Hong Kong. Based upon international textile trade agreements products of Hong Kong are subject to quota and the requirement of a visa.

    The holding set forth above applies only to the specific factual situation and merchandise identified in the ruling request. This position is clearly set forth in section 19 CFR 177.9(b)(1). This section states that a ruling letter, either directly, by reference, or by implication, is accurate and complete in every material respect.

    This ruling is being issued under the provisions of Part 177 of the Customs Regulations (19 C.F.R. 177). Should it be subsequently determined that the information furnished is not complete and does not comply with 19 CFR 177.9(b)(1), the ruling will be subject to modification or revocation. In the event there is a change in the facts previously furnished, this may affect the determination of country of origin. Accordingly, if there is any change in the facts submitted to Customs, it is recommended that a new ruling request be submitted in accordance with 19 CFR 177.2.
    A copy of the ruling or the control number indicated above should be provided with the entry documents filed at the time this merchandise is imported. If you have any questions regarding the ruling, contact National Import Specialist Mike Crowley at 646-733-3049.

                        Sincerely,

                        Robert B. Swierupski
                        Director,
                        National Commodity
                        Specialist Division