

GSP and the Traveler

Bringing in Articles from Developing Countries

QUESTIONS AND ANSWERS

What is GSP?

The Generalized System of Preferences (GSP) is a system used by many developed countries to help developing nations improve their financial or economic condition through exports. In effect, it provides for the duty-free importation of a wide range of products that would otherwise be subject to customs duty if imported into the United States from non-GSP countries.

When did GSP go into effect for the United States?

GSP went into effect on January 1, 1976. The program has expired on several occasions since that time, most recently on June 30, 1999. President George W. Bush signed the Trade Act of 2002 into law on August 6, 2002. Title XLI of the Act provides for the extension of the Generalized System of Preferences through December 31, 2006. However, duty-free treatment for eligible products made in designated sub-Saharan African countries continues through September 30, 2008.

How is GSP administered?

The United States Trade Representative in consultation with the Secretary of State administers GSP and the President, under the Trade Act of 1974 as amended, proclaims the duty suspensions. CBP is responsible for verifying eligibility for duty-free entry under GSP.

What products are eligible?

Approximately 4,650 items have been designated as eligible for duty-free treatment from beneficiary developing countries. The eligible articles are identified in the Harmonized Tariff Schedule of the United States Annotated and the designated countries are also listed there.

For the traveler's convenience, an advisory list of the most popular tourist items that, in general, have been accorded GSP status is included in this booklet.

Are certain items excluded?

Under the Trade Act many items, such as most footwear, most textile articles (including clothing), watches, some electronic products, and certain glass and steel products are specifically excluded from GSP benefits.

What countries have been designated as Beneficiary Developing Countries?

Approximately 140 countries and territories have been designated. Those countries are listed later in this document.

Are the articles and countries subject to change?

Yes. Articles may be excluded by Executive Order if it is determined that their importation is harmful to domestic industry. Beneficiary countries may also be excluded from the GSP program at any time, due to other trade considerations. For example, beneficiary countries may graduate from GSP if they become a “high income” country as defined by the International Bank for Reconstruction and Development. The President may also withdraw a beneficiary country’s GSP eligibility for other reasons, such as the country begins to give preferential treatment to imports from other developed countries, but not the United States.

In addition, some articles from specified countries may be excluded from GSP treatment, if during the preceding year:

- The level of imports of those articles exceeded a specific dollar limit indexed to the nominal growth of the U.S. gross national product, since 1984.
- That country supplied 50 percent or more of the total U.S. imports of that product.

How has the Africa Growth and Opportunity Act (AGOA) affected GSP?

The AGOA amended the GSP to provide for the duty-free treatment of many products if made in designated sub-Saharan African countries. The eligibility criteria for GSP and AGOA substantially overlap, and countries must be GSP eligible in order to receive AGOA’s trade benefits including

both expanded GSP and the apparel provisions. Although GSP eligibility does not imply AGOA eligibility, 45 of the 48 Sub-Saharan African countries are currently GSP eligible. The AGOA went into effect on October 1, 2000, and expires on September 30, 2008. More detailed information may be obtained from the CBP informed compliance publication, *What Every Member of the Trade Community Should Know About: The African Growth and Opportunity Act*. This publication can be found on the CBP website at www.cbp.gov in the Importing and Exporting section.

Are there any specific requirements or qualifications I must be aware of to be sure an article qualifies for duty-free treatment?

In order to take advantage of GSP, you must have acquired the eligible article in the same beneficiary country where it was grown, manufactured, or produced. Articles may accompany you or may be shipped from the developing country directly to the United States.

What forms are required?

If they are shipped, the goods should be accompanied by the merchant's invoice. No other forms are necessary unless it is a commercial importation.

What about merchandise acquired in duty-free shops?

Most items purchased in duty-free shops will not be eligible for GSP treatment unless the merchandise was produced in the country in which the duty-free shop is located.

What about Internal Revenue Service tax?

Such items as gin, liqueur, perfume, if designated as eligible articles, may be subject to Internal Revenue Service tax despite their GSP status.

What happens if I thought an article was eligible for duty-free entry and it is not?

When merchandise claimed to be free of duty under GSP is found to be dutiable, you may include it in your CBP exemption. Articles imported in excess of your exemption will be subject to duty. If you feel your article should have been passed free of duty, you may write to the port director of the CBP port where you entered, giving the information concerning your entry. A determination as to whether you are due a refund will be made.

Am I still entitled to my basic CBP exemption?

Yes, as a returning U.S. resident, you may still bring in free of duty \$800 worth of articles (fair retail value) acquired abroad in addition to those items covered by GSP. This exemption is \$1,600 if you are returning from the U.S. Virgin Islands, American Samoa, or Guam, and \$800 if you are returning from certain Caribbean or Andean nations. Remember that all articles acquired abroad, whether free of duty or not, including those entitled to GSP, must be declared to Customs and Border Protection on your return.

Visitors or nonresidents are entitled to bring in articles that are duty-free under GSP in addition to their basic CBP exemption.

Who should I contact if I have any questions about GSP?

Contact your nearest Customs and Border Protection office—there are more than 300 ports of entry throughout the United States. The address and telephone number of the nearest CBP office can be found in your local telephone directory on the U.S. Government pages, or on the CBP website at www.cbp.gov under the “ports” button. If you are overseas, the U.S. Embassy or consulate can be of assistance.

General information on the GSP and downloadable guides are available at http://ustr.gov/Trade_Development/Preference_Programs/GSP/Section_Index.html.

Please Note

Some products, although entitled to duty-free treatment under GSP, may be restricted or prohibited from entering the United States. For example, endangered species of wildlife and plants and products made from them, are protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and are prohibited from being exported or imported. Elephant ivory is also prohibited. Any elephant ivory brought into the United States is subject to seizure. If you are considering purchasing articles made from ivory, skin, fur, etc., please contact the U.S. Fish and Wildlife Service, or your nearest Customs and Border Protection port of entry, in advance of your trip.

This brochure has been prepared to serve only as an advisory guide for the traveling public for entry of non-commercial importations intended for personal use only. More specific and definitive advice in this regard should be obtained from one of the CBP field offices. Please also note that details or requirements for commercial importers are not covered here.

The Customs and Border Protection brochure *Know Before You Go* provides information on CBP clearance, exemptions, and restricted or prohibited items.

Information for commercial importers can be found on the CBP website under the Importing and Exporting section, or in our brochure *Import Requirements*. *Import Requirements* and *Know before You Go* are available by writing to: U.S. Customs and Border Protection, P.O. Box 7407, Washington, D.C. 20004, or by telephoning 202.354.1000, or toll-free at 1.877.CBP.5511.

POPULAR TOURIST ITEMS

This listing is solely an advisory guide to items designated as eligible for duty-free treatment under GSP that may be of interest to travelers for their personal use. **Note that certain items, if from a particular beneficiary country, may be excluded.** Do not hesitate to check with your nearest CBP office, or the American Embassy or consulate in the country you are visiting to verify the GSP status of any article you are considering bringing into the United States.

BASKETS or bags of bamboo, willow, or rattan

CAMERAS, motion-picture and still, lenses, and other photographic equipment

CANDY

CHINAWARE, bone: household ware, and other articles such as vases, statues, and figurines. Non-bone: articles other than household ware (except for non-bone chinaware or subporcelain)

CIGARETTE LIGHTERS, pocket and table

CORK, manufactures of

EARTHENWARE or stoneware except household ware available in sets

FLOWERS, artificial of plastic or feathers

FURNITURE of wood, rattan, or plastic

GAMES, played on boards: chess. Backgammon, darts, Mah-Jongg

GOLF BALLS and EQUIPMENT

JADE, cut but not set for use in jewelry and other articles of jade

JEWELRY of precious stones, or of precious metal set with semi-precious stones, cameos, intaglios, amber, or coral: Silver, chief value, valued not over \$18 per dozen. Necklaces and neck chains, almost wholly of gold: except rope from Israel and mixed link

JEWELRY BOXES, unlined

MUSIC BOXES and MUSICAL INSTRUMENTS

PAPER, manufactures of

PEARLS, cultured or imitation, loose or temporarily strung and without clasp

PERFUME

PRINTED MATTER

RADIO RECEIVERS, solid state (not for motor vehicles)

RECORDS, phonograph and tapes

SHAVERS, electric

SHELL, manufactures of

SILVER, tableware and flatware

SKIS and SKI EQUIPMENT, ski boots not included

STONES cut but not set, suitable for use in jewelry. Precious and semi-precious stones including marcasites, coral and cameos

TAPE RECORDERS

TOILET PREPARATIONS

TOYS

WIGS

WOOD, carvings

Beneficiary Countries

The following independent countries are GSP-eligible beneficiaries:

Afghanistan

Angola

Albania

Argentina

Algeria

Armenia

Bangladesh
Barbados
Belize
Benin
Bhutan
Bolivia
Bosnia and Hercegovina
Brazil
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Cape Verde
Central African Republic
Chad
Colombia
Comoros
Congo (Brazzaville)
Congo (Kinshasa)
Costa Rica
Cote d'Ivoire
Croatia
Democratic Republic of The Congo
Djibouti
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritrea
Ethiopia
Fiji
Gabon
Gambia, The
Ghana
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Honduras
India
Indonesia

Iraq
Jamaica
Jordan
Kazakhstan
Kenya
Kiribati
Kyrgyzstan
Lebanon
Lesotho
Macedonia, Former Yugoslav Republic
of
Madagascar
Malawi
Mali
Mauritania
Mauritius
Moldova
Mongolia
Morocco
Mozambique
Namibia
Nepal
Niger
Oman
Pakistan
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Romania
Russia
Rwanda
St. Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Sao Tome and Principe
Senegal
Seychelles
Sierra Leone
Solomon Islands
Somalia
South Africa
Sri Lanka
Suriname
Swaziland

Tanzania
Thailand
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Tuvalu

Uganda
Uruguay
Uzbekistan
Vanuatu
Venezuela
Republic of Yemen
Zambia
Zimbabwe

Associations of Countries - Treated as One Country for GSP Rule-of-Origin Requirements

Andean Group (Cartagena Agreement)

Bolivia
Colombia
Ecuador
Peru
Venezuela

ASEAN (Association of South East Asian Nations)

Indonesia
Philippines
Thailand
Singapore

CARICOM (Caribbean Common Market except the Bahamas)

Antigua and Barbuda	Grenada	St. Kitts and Nevis
Barbados	Guyana	Saint Lucia
Belize	Jamaica	Saint Vincent and the Grenadines
Dominica	Montserrat	Trinidad and Tobago

SADC (Southern African Development Community)

Botswana
Mauritius
Tanzania

WAEMU (West African Economic and Monetary Union)

Benin
Burkina Faso
Côte d'Ivoire
Guinea-Bissau
Mali
Niger
Senegal
Togo

The following non-independent countries and territories are GSP-eligible beneficiaries:

Anguilla	Niue
British Indian Ocean Territory	Norfolk Island
Christmas Island (Australia)	Pitcairn Islands
Cocos (Keeling) Islands	Saint Helena
Cook Islands	Tokelau
Falkland Islands (Islas Malvinas)	Turks and Caicos Islands
French Polynesia	Virgin Islands, British
Gibraltar	Wallis and Futuna
Heard Island and McDonald Islands	West Bank and Gaza Strip
Montserrat	Western Sahara
New Caledonia	

The least developed beneficiary developing countries are as follows:

Angola	Kiribati
Bangladesh	Lesotho
Benin	Madagascar
Bhutan	Malawi
Burkina Faso	Mali
Burundi	Mozambique
Cambodia	Nepal
Cape Verde	Niger
Central African Republic	Rwanda
Chad	Sao Tome and Principe
Comoros	Sierra Leone
Democratic Republic of Congo	Somalia
Djibouti	Tanzania
Equatorial Guinea	Togo
Ethiopia	Tuvalu
Gambia, The	Uganda
Guinea	Vanuatu
Guinea-Bissau	Republic of Yemen
Haiti	Zambia

U.S. Customs and Border Protection

Protecting America