

# AGOA ABCs

How to participate in the American market



**USAID**  
FROM THE AMERICAN PEOPLE

WEST AFRICA  
**TRADE &  
INVESTMENT  
HUB**

**Chocof**  
Ananas aux Chocolat  
Just dried fruit, ready to eat

**Mango Roll**  
Rouleau de Mangue  
Just dried fruit, ready to eat



fresh & dry!<br>Weight / Poids: 100g  
Per 100g  
Sugar 12.5g  
Fat 1.5g  
Fibre 1.5g  
VEGANA

fresh & dry!<br>Weight / Poids: 100g  
Per 100g  
Sugar 12.5g  
Fat 1.5g  
Fibre 1.5g  
VEGANA

OGNI BARRETTA  
DI FRUTTA FRESCA  
OTTENUTA DA 200g  
DI FRUTTA FRESCA  
E  
ZUCCHERI!  
EuroCompany

**ANANAS  
MARACUJÁ**  
DUE BARRETTE A  
BASE DI FRUTTA ESSICCA

pineapple-mango-  
pure™  
no sugar added<br>no concentrate added  
1x 20g  
energy  
of 200g  
fresh fruit

pineapple-banana-lime  
pure™  
no sugar added<br>no concentrate added  
SIMPLY FRUIT.  
1x 20g  
energy  
of 200g  
fresh fruit

Mango-Kokosnuss  
pure™  
ohne Zugabe von  
Zucker- und Konzentrat  
1x 20g  
energy  
of 200g  
fresh fruit



## ABOUT THIS GUIDE

USAID West Africa Trade and Investment Hub supports West African businesses to take advantage of the African Growth and Opportunity Act (AGOA).

This guide outlines the step-by-step process that a West African business should take to export to the U.S. duty free through AGOA.

### Learn more:

[www.waTradeHub.com](http://www.waTradeHub.com)

 [www.facebook.com/waTradeHub](https://www.facebook.com/waTradeHub)

 [www.twitter.com/waTradeInvest](https://www.twitter.com/waTradeInvest)

To contact our AGOA expert, select that link on our contact page:

[www.watradehub.com/en/contact-us](http://www.watradehub.com/en/contact-us)

For more information about AGOA, you may consult the following web sites:

*Legal status and documents:*

[www.trade.gov/agoa](http://www.trade.gov/agoa)

*Detailed information forms:*

<https://agoa.info/about-agoa.html>

*Textile Certificate of Origin:*

[http://otexa.trade.gov/PDFs/Certificate\\_Origin.pdf](http://otexa.trade.gov/PDFs/Certificate_Origin.pdf)



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**WHAT IS...**

# AGOA?

The African Growth and Opportunity Act (AGOA) is the cornerstone of U.S. commercial relationship in trade and investment with Africa. It was first signed into law on May 18, 2000 and has now been extended through 2025.

The act accords duty-free treatment to virtually all products exported by beneficiary sub-Saharan African (SSA) countries to the United States. AGOA provides these beneficiary countries with the most liberal access to the United States market accorded to any country or region that has not negotiated a free-trade agreement with the United States.

AGOA benefits are currently extended to 38 SSA countries and to more than 1,800 tariff line items, in addition to the 4,600 items already enjoying duty-free status under the U.S. Generalized System of Preferences (GSP), a program aimed at promoting economic growth in the developing world by providing preferential duty-free treatment for products from designated beneficiary developing countries (BDCs), and many least-developed beneficiary developing countries (LDBDCs).

AGOA has added to the GSP list of duty-free products, major import-sensitive items such as apparel, footwear, luggage, handbags and watches.

AGOA offers special provisions such as the “third country waiver”. This means that under AGOA, SSA countries eligible for the textile visa can purchase fabric from anywhere in the world, then cut, sew, package and export the resulting garment to the U.S. as an AGOA eligible product.



# INTRODUCTION

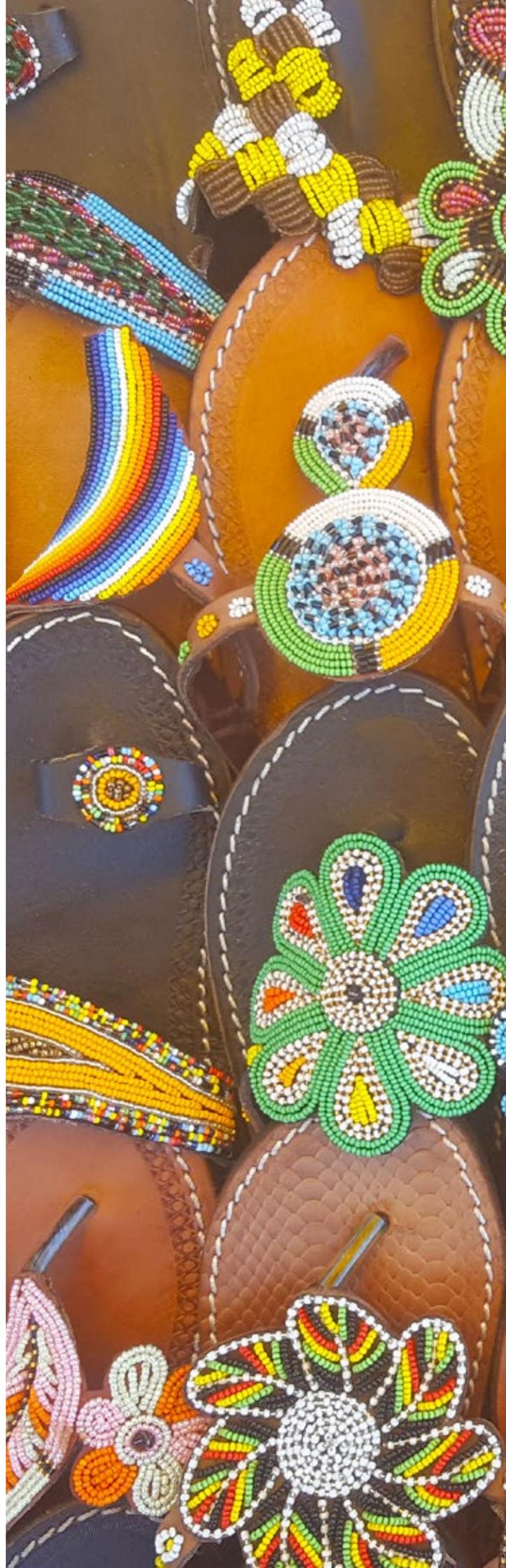
AGOA provides incentives for African countries to become more globally competitive by making economic and commercial reforms. The main incentive is the opportunity to export goods from a list of nearly 7,000 qualifying products to the U.S. without paying import duties.

Exporting can be a challenging process, but it can also be profitable for the individual or company that manages to do it successfully. Exporters must follow two sets of procedures:

1. Local laws and regulations that govern the export process
2. Laws and regulations that govern the destination country's imports — in this case, the U.S.

Regulations vary according to the product being exported, and exporters must conduct research to ensure that their products meet the necessary requirements for export as stipulated under AGOA product eligibility.

This toolkit assumes that the exporter or potential exporter has already conducted the necessary market research, and is ready to export. Therefore, this toolkit only highlights the process of exporting goods from West Africa to the U.S. under AGOA.



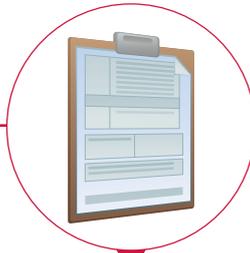




Steps to export your goods to the U.S. under the African Growth and Opportunity Act



## A. PREPARE SHIPMENT



## B. PREPARE COMMERCIAL INVOICE

Exporter must supply a completed commercial invoice.



## C. CERTIFICATE OF ORIGIN (COO) *(Non-Textile Goods)*

From your country's Trade/Commerce Ministry or Chamber of Commerce. AGOA-eligible goods have a D classification in the "Special" column of the Harmonized Tariff Schedule (HTSUS)



## C. TEXTILE CERTIFICATE OF ORIGIN *(Textiles and Apparel)*

Textiles will not have a D classification. Instead, see Chapter 98 of the HTSUS for product eligibility and Chapters 1-97 for proper classification numbers.

## D. OBTAIN CUSTOMS CLEARANCE

Producer/exporter sends goods to Customs for inspection, Customs approves, and gives clearance for shipment.



## AGOA TEXTILE VISA STAMP

Customs stamps invoice. For eligible textile and apparel products only.

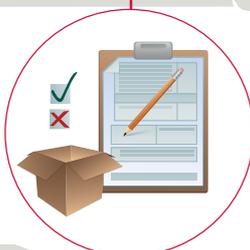
## E. EXPORT LOGISTICS



Producer/exporter transmits export documents to U.S.-based buyer.



## F. CUSTOMS DECLARATION



U.S.-based buyer or broker declares goods to U.S. Customs at port of entry.

# STEPS TO EXPORT YOUR GOODS TO THE U.S. UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT

**A. Prepare Shipment** – Prepare your goods for shipment using packaging and labelling that meet U.S. standards. When your shipment is ready:

**B. Prepare Commercial Invoice** – Before preparing the commercial invoice it is necessary to determine the proper HTSUS classifications for the goods. Without this, it is not possible to ascertain whether the goods are eligible for AGOA. The invoice should also have a detailed description of the merchandise, the quantities, and purchase price in U.S. Dollars.



**C. Obtain Certificate of Origin (COO)** –

*NB: The process varies from country to country.*

- **Non-textile goods:** A standard COO covers non-textile goods only. This will certify that the goods are in fact originating from an AGOA-eligible country. Producer/exporter must check with Country of Origin’s Trade / Commerce Ministry, Revenue authority, or Chamber of Commerce to get this document. To determine whether a product is eligible you must look under the “Special” column in Column I of the HTSUS to see whether there is a “D” classification, which means that the product is AGOA eligible.
- **Textile and apparel goods:** Obtain instead a Textile Certificate of Origin, which is a U.S. Government document. The exporter is responsible for obtaining a copy from the Customs authority or Chamber of Commerce of the Country of Origin, and filling it in properly. It can also be downloaded from:

[http://otexa.trade.gov/PDFs/Certificate\\_Origin.pdf](http://otexa.trade.gov/PDFs/Certificate_Origin.pdf). Textiles will not have a “D” in the “Special” column. To determine eligibility for textiles, see Chapter 98 of the HTSUS. To find the proper classification numbers, see Chapters I-97. You should write both the Chapter I-97 number and the Chapter 98 number on the invoice. An exporter of apparel/textiles wishing to obtain the preferential treatment available under AGOA (i.e. duty-free treatment) for specific apparel/textile products must complete the Certificate and provide it to the importer, which is importing the apparel/textiles to the United States. The Certificate must be available to U.S. Customs on request but does not accompany the actual shipment.



**D. Obtain Customs Clearance** – Producer/exporter sends goods to the Customs authority in the Country of Origin for inspection, Customs approves and gives clearance for shipment. For eligible textile and apparel goods, Customs will stamp the invoice with the AGOA Textile Visa Stamp.

**E. Export logistics** – Producer/exporter transmits export documents to U.S.-based buyer or his broker. Documents required include all of the above, as well as the bill of lading and the packing list.

**F. Customs Declaration** – Equipped with the export documents, the U.S.-based buyer or broker clears the shipment and declares the goods to U.S. Customs authorities at the port of entry.

# COMMERCIAL INVOICE

## COMMERCIAL INVOICE

SELLER		INVOICE NUMBER		DATE
		CUSTOMER REFERENCE NUMBER		DATE
SOLD TO		TERMS OF SALE/		
		TERMS OF PAYMENT		
SHIP TO		CURRENCY OF SETTLEMENT		
		MODE OF SHIPMENT	BILL OF LADING/AWB	
QTY	PRODUCT DESCRIPTION AND HARMONIZED CODE	UNIT OF MEASURE	UNIT PRICE	TOTAL PRICE
PACKAGE MARKS		TOTAL COMMERCIAL VALUE		
		MISC CHARGES (PACKING, INSURANCE, ETC.)		
		TOTAL INVOICE VALUE		
CERTIFICATIONS		I CERTIFY THAT THE STATED EXPORT PROCES AND DESCRIPTION OF GOODS ARE TRUE AND CORRECT		
		SIGNED _____		
		TITLE _____		



# TEXTILE CERTIFICATE OF ORIGIN

## African Growth and Opportunity Act Textile Certificate of Origin (Revised May 2008)

1. Exporter Name & Address:	3. Importer Name & Address:
2. Producer Name & Address:	4. Preference Group:

5. Description of Article:

Group	<i>Each description below is only a summary of the cited provision.</i>	Legal Provision
1-A	Apparel assembled from U.S. fabrics and/or knit-to-shape components, from U.S. yarns. All fabric must be cut in the United States.	19 CFR 10.213(a)(1)
2-B	Apparel assembled from U.S. fabrics and/or knit-to-shape components, from U.S. yarns. All fabric must be cut in the United States. After assembly, the apparel is embroidered or subject to stone-washing, enzyme-washing, acid washing, perma-pressing, oven-baking, bleaching, garment-dyeing, screen printing, or other similar processes.	19 CFR 10.213(a)(2)
3-C	Apparel assembled from U.S. fabrics and/or U.S. knit-to-shape components and/or U.S. and beneficiary country knit-to-shape components, from U.S. yarns and sewing thread. The U.S. fabrics may be cut in beneficiary countries, or in beneficiary countries and the United States.	19 CFR 10.213(a)(3) or 10.213(a)(11)
4-D	Apparel assembled from beneficiary country fabrics and/or knit-to-shape components, from yarns originating in the U.S. and/or one or more beneficiary countries.	19 CFR 10.213(a)(4)
5-E	Apparel assembled or knit-to-shape and assembled, or both, in one or more lesser developed beneficiary countries regardless of the country of origin of the fabric or the yarn used to make such articles.	19 CFR 10.213(a)(5)
6-F	Knit-to-shape sweaters in chief weight cashmere.	19 CFR 10.213(a)(6)
7-G	Knit-to-shape sweaters 50 percent or more by weight of wool measuring 21.5 microns in diameter or finer.	19 CFR 10.213(a)(7)
8-H	Apparel assembled from fabrics or yarns considered in short supply in the NAFTA, or designated as not available in commercial quantities in the United States.	19 CFR 10.213(a)(8) or 10.213(a)(9)
9-I	Handloomed fabrics, handmade articles made of handloomed fabrics, or textile folklore articles – as defined in bilateral consultations; Ethnic printed fabric.	19 CFR 10.213(a)(10)
0-J	Textile products of a lesser developed beneficiary country classifiable under chapters 50 through 60, or 63, that are wholly formed in one or more such countries from fibers, yarns, fabrics, fabric components or components knit-to-shape that are also the product of one or more such countries.	19 USC 3721(b)(8)

6. U.S./African Fabric Producer Name & Address:	7. U.S./African Yarn Producer Name & Address:
	8. U.S. Thread Producer Name & Address:
9. Handloomed, Handmade, or Folklore Article:	10. Name of Short Supply or Designated Fabric or Yarn:

I certify that the information on this document is complete and accurate and I assume the responsibility for proving such representations. I understand that I am liable for any false statements or material omissions made on or in connection with this document. I agree to maintain, and present upon request, documentation necessary to support this certificate.

11. Authorized Signature:	12. Company:
13. Name: (Print or Type)	14. Title:
15. Date: (DD/MM/YY)	16. Blanket Period From: To:
	17. Telephone: Facsimile:

**The following rules will apply when completing the Textile Certificate of Origin:**

**Block 1:** State the legal name and address (including country) of the exporter.

**Block 2:** State the legal name and address (including country) of the producer. If there is more than one producer, attach a list stating the legal name and address (including country) of all additional producers. If this information is confidential, it is acceptable to state “available to Customs upon request” in block 2. If the producer and the exporter are the same, state “same” in block 2.

**Block 3:** State the legal name and address of the U.S. importer.

**Block 4:** Insert the number and/or letter that designates the preference group which applies to the article according to the description contained in the CFR provision cited on the Certificate for that group.

**Block 5:** Provide a full description of each article. The description should be sufficient to relate it to the invoice description and to the description of the article in the international Harmonized System. Include the invoice number as shown on the commercial invoice or, if the invoice number is not known, include another unique reference number such as the shipping order number.

*(Blocks 6 through 10 must be completed only when the block in question calls for information that is relevant to the preference group identified in block 4)*

**Block 6:** State the legal name and address (including country) of the fabric producer.

**Block 7:** State the legal name and address (including country) of the yarn producer.

**Block 8:** State the legal name and address of the U.S. thread producer.

**Block 9:** State the name of the textile folklore article or state that the article is handloomed fabric or handmade article made of handloomed fabrics.

**Block 10:** Complete only when preference group “8” and/or “H” is inserted in block 4. State the name of the fabric or yarn that is in short supply in the NAFTA, or that has been designated as not available in commercial quantities in the United States.

**Block 11:** The textile certificate of origin must be signed by the producers in the beneficiary country. An Exporter who is not the producer may sign the certificate on the basis of reasonable reliance on the producer’s written representation that the article qualifies, or on a completed and signed certificate of origin from the producer.

**Block 12:** Insert the company name of the person signing block 11.

**Block 13:** Type or print the name of the person in block 11.

**Block 14:** Insert the title of the person in block 11.

**Block 15:** Insert the date on which the Certificate was completed and signed.

**Block 16:** Complete if the Certificate is intended to cover multiple shipments of identical articles as described in block 5 that are imported into the United States during a specified period of up to one year (see 19CFR10.216(b)(4)(ii)). The “from” date is the date on which the Certificate became applicable to the article covered by the blanket Certificate (this date may be prior to the date reflected in block 15). The “to” date is the date on which the blanket period expires.

**Block 17:** Insert the telephone and facsimile numbers at which the person who signed the certificate may be contacted.



Shea Honey Oatmeal Soap  
Exfoliates, hydrates and soothes dry skin

Nasheaba  
Shea Neem Soap  
Anti bacterial and anti fungal  
It soothes and moisturises your skin

Nasheaba  
Shea Charcoal Soap

Nasheaba  
Shea Charcoal Soap

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.

Nasheaba

Nasheaba  
Shea Neem Soap

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
Ingredients: Shea Butter, Sun Flower Oil, Coconut Oil,  
Lye, Castor Oil and Lavender.

Nasheaba

Nasheaba  
Shea Black Soap  
mixture

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
Ingredients: Shea butter, Coconut oil, Lye, Castor Oil,  
Sesame Seeds and Citronella

Nasheaba

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
Ingredients: Shea Butter, Sun Flower Oil, Coconut Oil,  
Lye, Castor Oil and Lavender.

Nasheaba

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
13 FEB 2017

Nasheaba

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
Ingredients: Shea Butter, Sun Flower, Coconut Oil, Lye,  
Castor Oil, Noni Powder and Lemongrass

Nasheaba

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
Ingredients: Shea butter, Coconut oil, Lye, Castor Oil,  
Sesame Seeds and Citronella

Nasheaba

INGREDIENTS: Shea Butter, Coconut Oil, Lye, Castor Oil,  
Tea Tree and Rosemary Oil and Moringa Powder

Nasheaba

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
13 FEB 2017

Nasheaba

INGREDIENTS:  
610340001042733

Nasheaba  
Shea Black Soap

SAFETY TIP: For external use only. Keep out of children's reach.  
CONSEILS DE SÉCURITÉ : A usage externe seulement.  
Garder hors de portée des enfants.  
Ingredients: Shea Butter, Sun Flower, Coconut Oil, Lye,  
Castor Oil, Honey, Oatmeal, Lemon and Lemongrass

Nasheaba

*“The African Growth and Opportunity Act (AGOA), has resulted in a four-fold increase, from \$1.4 billion in 2001 to \$4.1 billion in 2015, in the continent’s non-oil trade with the country. AGOA has had success in helping many African countries diversify their export portfolios.”*

– Florizelle Liser, Former Assistant U.S. Trade Representative for Africa

