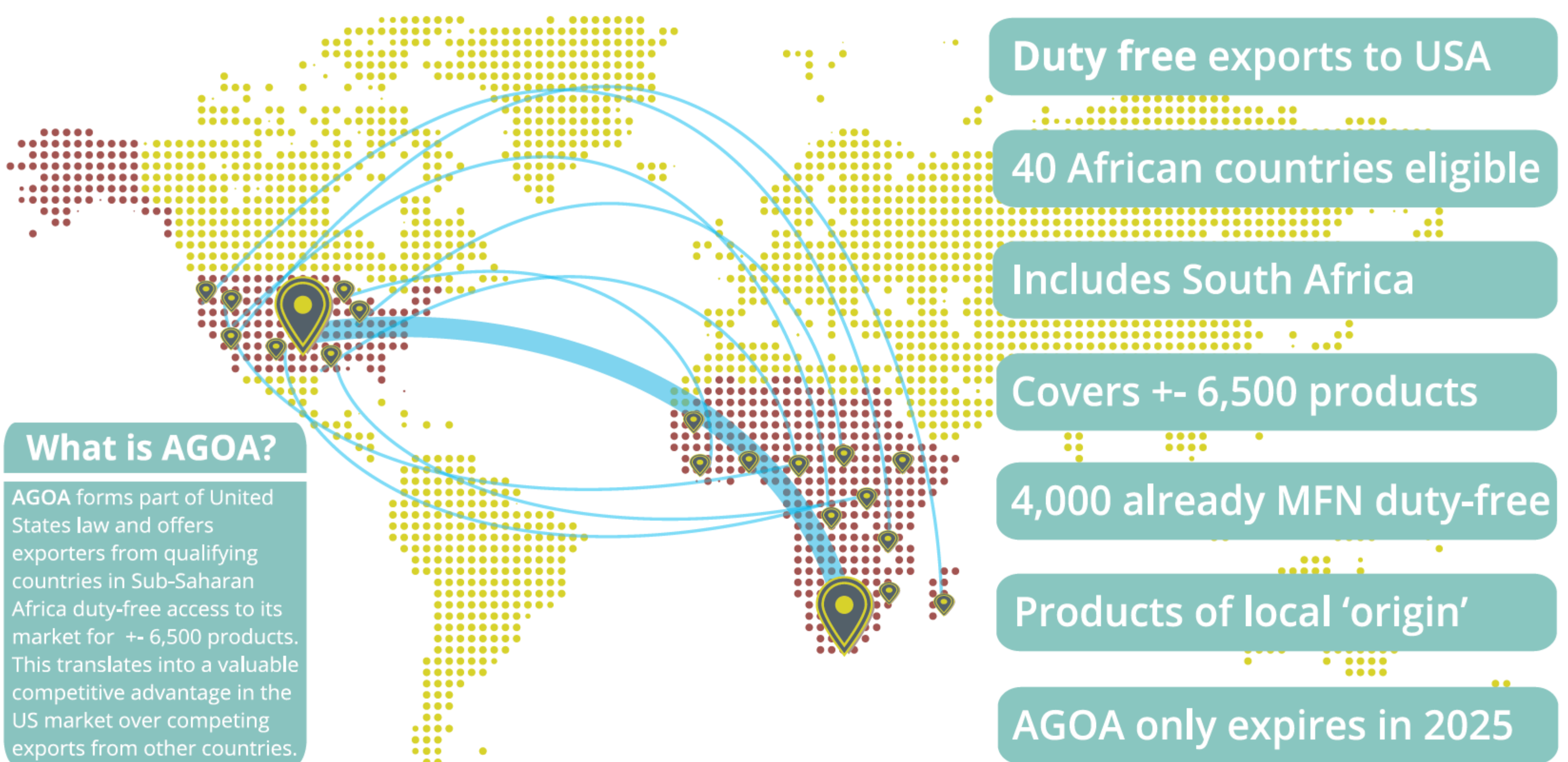


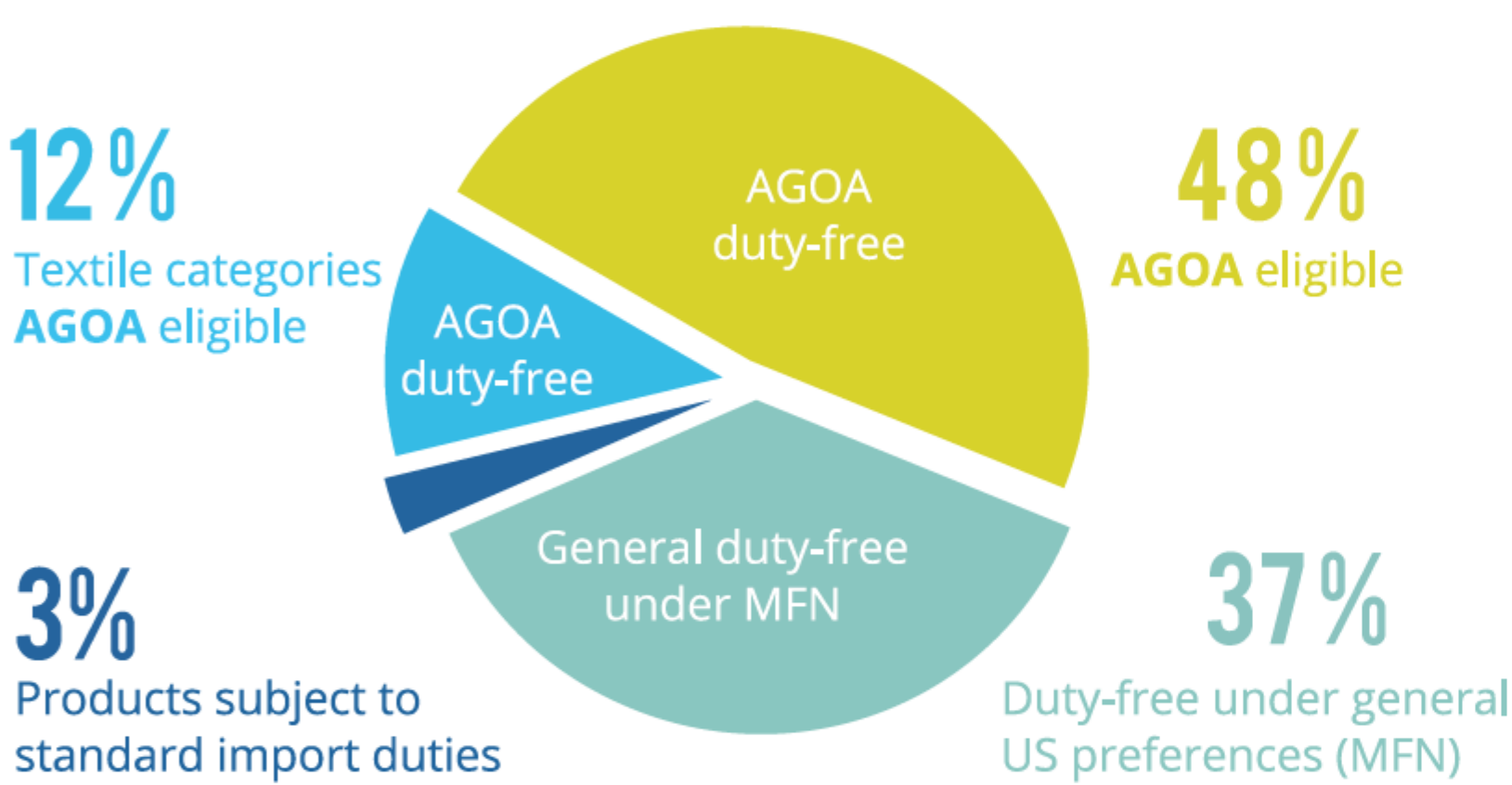
# AGOA AND SOUTH AFRICA

## THE AFRICAN GROWTH AND OPPORTUNITY ACT



### MARKET ACCESS TO THE UNITED STATES

• TOTAL: 10,800 tariff lines



### RULES OF ORIGIN



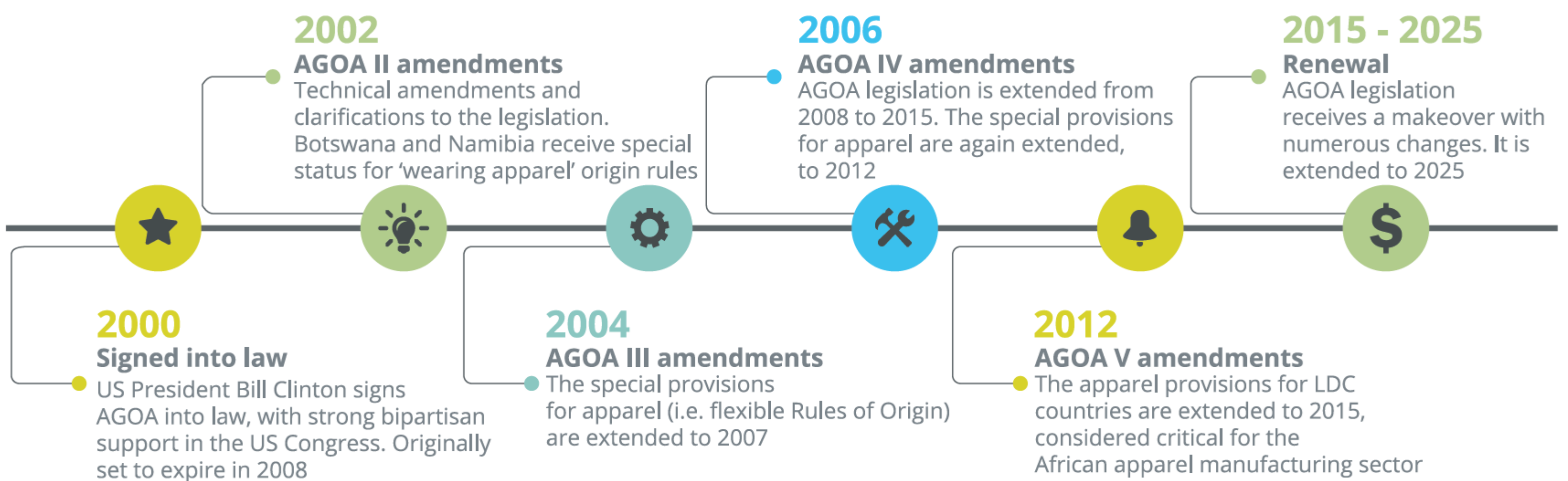
Qualifying products must 'originate' in an eligible exporting country to qualify

#### • GENERAL REQUIREMENT

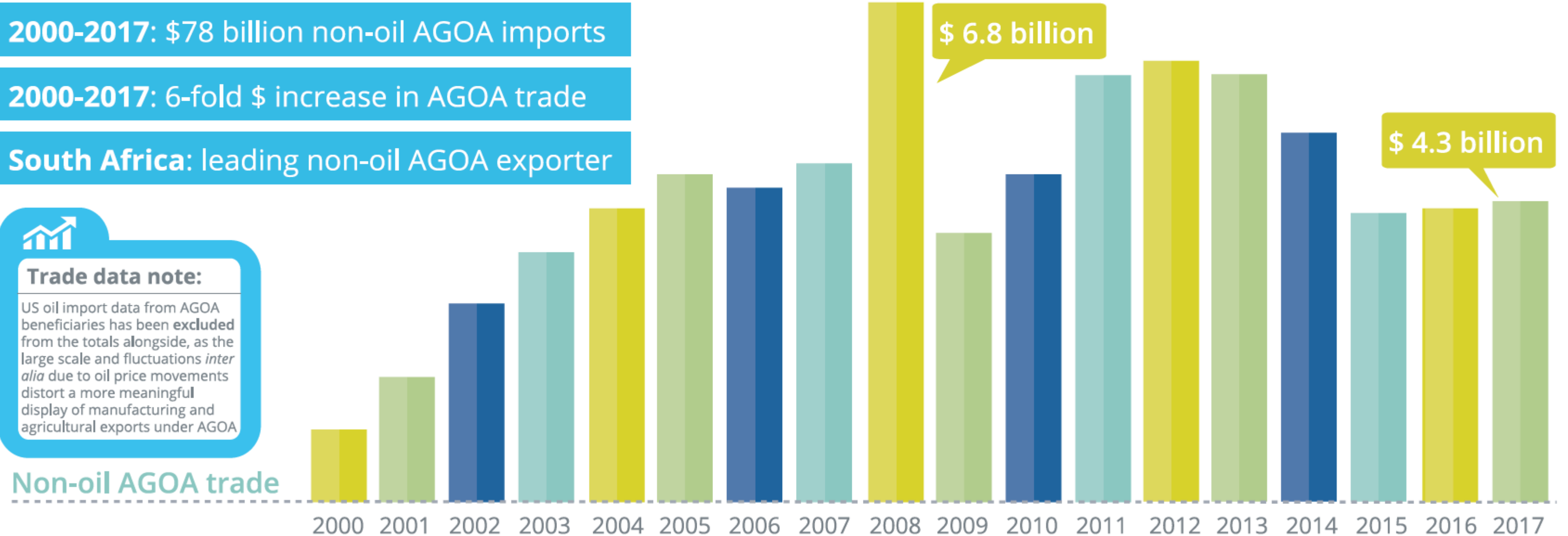
Products included in the list of qualifying goods must be a "growth, product or manufacture" of one or more AGOA beneficiary country. The direct cost of the materials plus the direct cost of processing must equal at least 35% of the product's appraised value at the US port of entry. Up to 15% of the 35% local content requirement may consist of US-originating parts and materials.

#### • 'WEARING APPAREL' REQUIREMENT

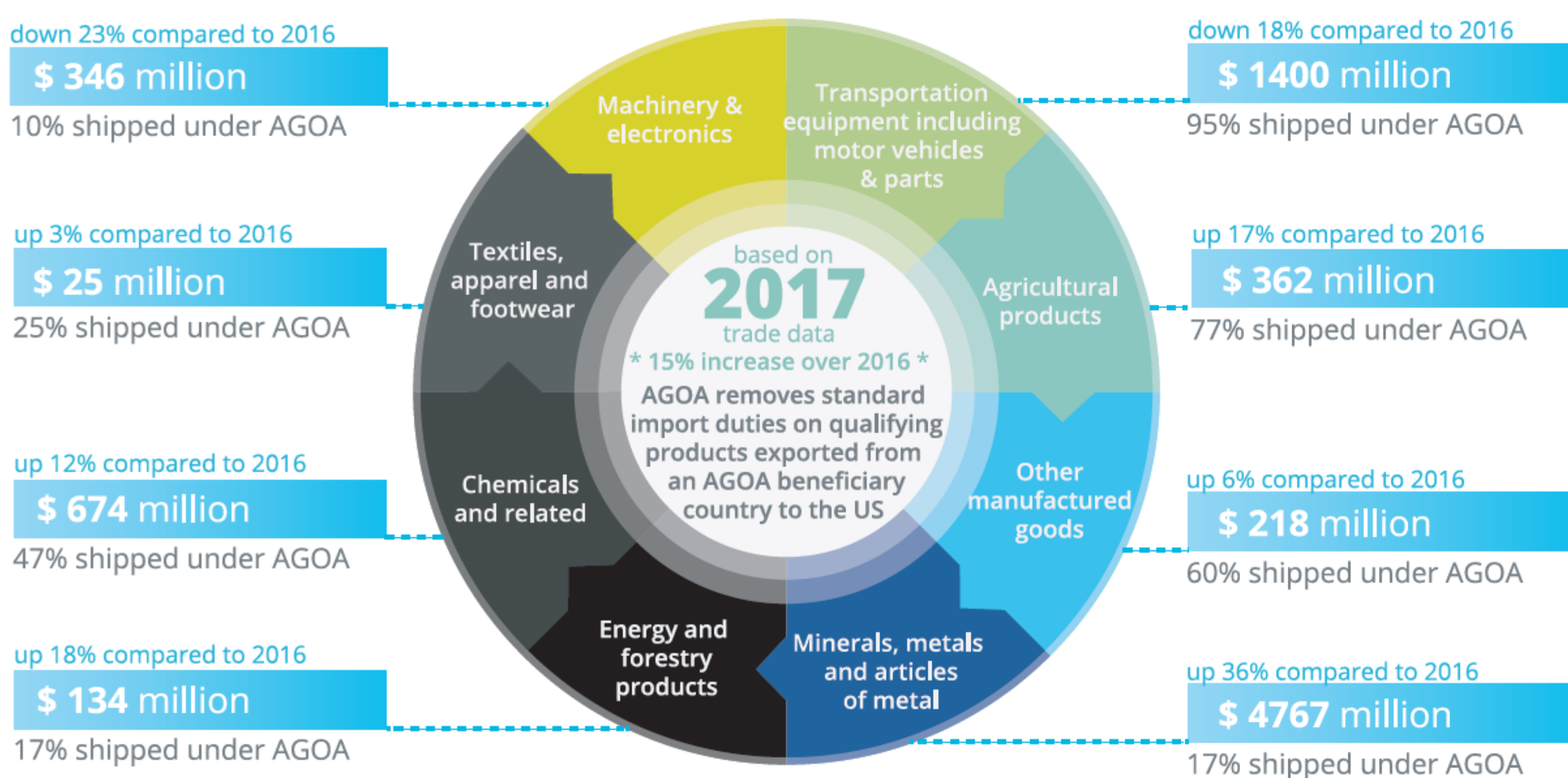
AGOA maintains a separate set of rules for qualifying garments. Countries must have in place and maintain an 'apparel visa' system. South African exporters must utilise fabric made locally or in another AGOA beneficiary country, in turn made from African or US yarn. Other AGOA beneficiaries are not subject to this rule and may utilise fabric sourced from anywhere in the world, provided that it is assembled locally prior to duty-free export to the United States under AGOA. Textiles from Chapters 50-60 + 63 also qualify if made from local / AGOA inputs.



### UNITED STATES' COMBINED NON-OIL AGOA IMPORTS FROM ELIGIBLE COUNTRIES



### UNITED STATES' AGOA PLUS NON-AGOA IMPORTS FROM SOUTH AFRICA



### EXPORT PROCESS

#### Stage 1

Register the company as an exporter, obtain exporter number where applicable. Identify product's unique HTS code and check whether AGOA eligible, or applicable US import duties

#### Stage 2

Exporter checks relevant US regulations and SPS measures for food, agric and animal products (e.g. APHIS, FDA, USDA etc.) - see web links at bottom

#### Stage 3

Exporter obtains, from local customs, certificate of origin or respective AGOA apparel visa as proof for meeting AGOA's Rules of Origin

#### Stage 4

Manage logistics process including exporter insurance, letter of credit, packaging, storage, shipping and related arrangements

#### Stage 5

Importer completes the process by clearing goods in US, makes relevant declarations, including on origin and value

### AGOA ELIGIBILITY REQUIREMENTS

While AGOA is a *non-reciprocal* US trade law - meaning eligible African countries are not required to offer the same preferences to United States exporters - eligibility is not *unconditional*. AGOA's qualifying criteria pertain to eligible countries wishing to use preferences, and include (a country having) established a market based economy, (the) elimination of barriers to US trade and investment, (the) protection of internationally recognised worker rights, etc. The US government, on an ongoing basis, monitors compliance and can remove a country's eligibility when these criteria are no longer being met. Certain countries have had, from time to time, their AGOA preferences revoked (some have later regained their AGOA beneficiary status).

### SELECTED AGOA RELATED RESOURCES

AGOA web portal	<a href="http://www.AGOA.info">www.AGOA.info</a>	US Dept Agriculture	<a href="http://www.usda.gov">www.usda.gov</a>	US Customs	<a href="http://www.cbp.gov">www.cbp.gov</a>
Food and Drug Administration	<a href="http://www.fda.gov">www.fda.gov</a>	US Office of Textiles and Apparel (OTEXA)	<a href="http://otexa.trade.gov">otexa.trade.gov</a>		
US International Trade Commission (USITC)	<a href="http://www.usitc.gov">www.usitc.gov</a>	Trade Law Centre (TRALAC)	<a href="http://www.tralac.org">www.tralac.org</a>		
Southern African Trade and Investment Hub	<a href="http://www.satihub.com">www.satihub.com</a>	Animal & Plant Inspections	<a href="http://www.aphis.usda.gov">www.aphis.usda.gov</a>		
East African Trade and Investment Hub	<a href="http://www.eatradehub.org">www.eatradehub.org</a>	South African Revenue / Customs	<a href="http://www.sars.gov.za">www.sars.gov.za</a>		

#### Acknowledgements

This Infographic has been created by the Trade Law Centre (TRALAC). The AGOA.info web portal forms part of TRALAC's service offering. The continued support by USAID is gratefully acknowledged.