

**FIRST PROTOCOL OF AMENDMENT TO THE
AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE KINGDOM OF BAHRAIN
ON THE ESTABLISHMENT OF A FREE TRADE AREA**

The Government of the United States of America and the Government of the Kingdom of Bahrain;

Recognizing that the United States of America and the Kingdom of Bahrain are both Parties to the World Customs Organization and have obligations under the International Convention on the Harmonized Commodity Description and Coding System (the "Convention");

Desiring to provide the tariff treatment to originating goods as provided for in the United States – Bahrain Free Trade Agreement signed at Washington, DC, on September 14, 2004, (the "Agreement"); and

Recognizing that implementation of amendments to the Convention will affect certain rules of origin set out in Annex 3-A to the Agreement;

HAVE AGREED as follows:

1. The provisions of **ANNEX 3-A RULES OF ORIGIN FOR TEXTILE OR APPAREL GOODS FOR CHAPTERS 42, 50 THROUGH 62, 70, AND 94** are amended as set out in this paragraph.

54.07: Delete heading 54.07 and the rule of origin applicable thereto and replace with the following:

54.07: A change to tariff items 5407.61.11, 5407.61.21, or 5407.61.91 from tariff items 5402.47.10 or 5402.52.10, or from any other chapter, except from headings 51.06 through 51.10, 52.05 through 52.06, or 55.09 through 55.10.

A change to heading 54.07 from any other chapter, except from heading 51.06 through 51.10, 52.05 through 52.06, or 55.09 through 55.10.

6101.10-6101.30: Delete subheadings 6101.10 through 6101.30 and the rule of origin applicable thereto and replace with the following:

6101.20 - 6101.30: A change to subheading 6101.20 through 6101.30 from any other chapter, except from heading 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08 or 53.10 through 53.11, Chapter 54 or heading 55.08 through 55.16 or 60.01 through 60.06, provided that:

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- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

6101.90: Delete subheading 6101.90 and the rule of origin applicable thereto and replace with the following:

6101.90: A change to goods of wool or fine animal hair of subheading 6101.90 from any other chapter, except from heading 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08 or 53.10 through 53.11, Chapter 54 or heading 55.08 through 55.16 or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

A change to any other good of subheading 6101.90 from any other chapter, except from heading 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08 or 53.10 through 53.11, Chapter 54 or heading 55.08 through 55.16 or 60.01 through 60.06, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties.

6103.11-6103.12: Delete subheadings 6103.11 through 6103.12 and the rule of origin applicable thereto and replace with the following:

6103.10: A change to tariff items 6103.10.70 or 6103.10.90 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5516 or 6001 through 6006, provided that the good is cut or knit to shape, or both, and sewn and otherwise assembled in the territory of one or more of the Parties.

A change to subheading 6103.10 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54 or headings 5508 through 5516 or 6001 through 6006, provided that:

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- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

6103.19: Delete subheading 6103.19 and the rule of origin applicable thereto.

6103.21 – 6103.29: Delete subheadings 6103.21 through 6103.29 and the rule of origin applicable thereto and replace with the following:

6103.22-6103.29: A change to subheadings 6103.22 through 6103.29 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08 or 53.10 through 53.11, Chapter 54 or headings 55.08 through 55.16 or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) with respect to a garment described in heading 61.01 or a jacket or a blazer described in heading 61.03, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

6104.11 - 6104.13: Delete subheadings 6104.11 through 6104.13 and the rule of origin applicable thereto and replace with the following:

6104.13: A change to subheading 6104.13 from any other chapter, except from heading 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08 or 53.10 through 53.11, Chapter 54 or heading 55.08 through 55.16 or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

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6104.19: Delete subheading 6104.19 and the rule of origin applicable thereto and replace with the following:

6104.19: A change in tariff item 6104.19.40 or 6104.19.80 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08, or 53.10 through 53.11, Chapter 54, or headings 55.08 through 55.16 or 60.01 through 60.06, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties.

A change to any other good of subheading 6104.19 from any other chapter, except from heading 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08 or 53.10 through 53.11, Chapter 54 or heading 55.08 through 55.16 or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

6104.21-6104.29: Delete subheadings 6104.21 through 6104.29 and the rule of origin applicable thereto and replace with the following:

6104.22-6104.29: A change to subheadings 6104.22 through 6104.29 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08, or 53.10 through 53.11, Chapter 54, or headings 55.08 through 55.16 or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) with respect to a garment described in heading 61.02, a jacket or a blazer described in heading 61.04, or a skirt described in heading 61.04, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

6104.29: Delete subheading 6104.29 and the rule of origin applicable thereto and replace with the following:

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6104.22-6104.29

A change to subheadings 6104.22 through 6104.29 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08, or 53.10 through 53.11, Chapter 54, or headings 55.08 through 55.16 or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) any visible lining material contained in the apparel article satisfies the requirements of Chapter Rule 1 for Chapter 61.

6203.21-6203.29: Delete subheadings 6203.21 through 6203.29 and the rule of origin applicable thereto and replace with the following:

6203.22-6203.29

A change to subheadings 6203.22 through 6203.29 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08, or 53.10 through 53.11, Chapter 54, or headings 55.08 through 55.16, 58.01 through 58.02, or 60.01 through 60.06, provided that:

- (a) the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties, and
- (b) with respect to a garment described in heading 62.01 or a jacket or a blazer described in heading 62.03, of wool, fine animal hair, cotton or man-made fibers, imported as part of an ensemble of these subheadings, any visible lining material contained in the apparel article as imported into the U.S. satisfies the requirements of Chapter Rule 1 for Chapter 62.

6205.10: Delete subheading 6205.10 and the rule of origin applicable thereto.

6205.20-6205.30: Delete subheadings 6205.20 through 6205.30 and the rule of origin applicable thereto and replace with the following:

6205.20-6205.30:

Subheading Rule: Men's or boys' shirts of cotton or man-made fibers shall be considered to originate if they are both cut and assembled in the territory of one or both of the Parties and if the fabric of the outer shell, exclusive of collars or cuffs, is wholly of one or more of the following:

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(a) Fabrics of subheading 5208.21, 5208.22, 5208.29, 5208.31, 5208.32, 5208.39, 5208.41, 5208.42, 5208.49, 5208.51, 5208.52, or tariff items 5208.59.20, 5208.59.40, 5208.59.60, or 5208.59.80, of average yarn number exceeding 135 metric;

(b) Fabrics of subheading 5513.11 or 5513.21, not of square construction, containing more than 70 warp ends and filling picks per square centimeter, of average yarn number exceeding 70 metric;

(c) Fabrics of subheading 5210.21 or 5210.31, not of square construction, containing more than 70 warp ends and filling picks per square centimeter, of average yarn number exceeding 70 metric;

(d) Fabrics of subheading 5208.22 or 5208.32, not of square construction, containing more than 75 warp ends and filling picks per square centimeter, of average yarn number exceeding 65 metric;

(e) Fabrics of subheading 5407.81, 5407.82, or 5407.83, weighing less than 170 grams per square meter, having a dobby weave created by a dobby attachment;

(f) Fabrics of subheading 5208.42 or 5208.49, not of square construction, containing more than 85 warp ends and filling picks per square centimeter, of average yarn number exceeding 85 metric;

(g) Fabrics of subheading 5208.51, of square construction, containing more than 75 warp ends and filling picks per square centimeter, made with single yarns, of average yarn number 95 or greater metric;

(h) Fabrics of subheading 5208.41, of square construction, with a gingham pattern, containing more than 85 warp ends and filling picks per square centimeter, made with single yarns, of average yarn number 95 or greater metric, and characterized by a check effect produced by the variation in color of the yarns in the warp and filling; or

(i) Fabrics of subheading 5208.41, with the warp colored with vegetable dyes, and the filling yarns white or colored with vegetable dyes, of average yarn number greater than 65 metric.

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6205.20-6205.30 A change to subheadings 6205.20 through 6205.30 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08, or 53.10 through 53.11, Chapter 54, or headings 55.08 through 55.16, 58.01 through 58.02, or 60.01 through 60.06, provided that the good is cut or knit to shape, or both, and sewn or otherwise assembled in the territory of one or both of the Parties.

6211.31-6211.49: Delete subheadings 6211.31 through 6211.49 and the rules of origin applicable thereto and replace with the following:

6211.32-6211.49 A change to subheadings 6211.32 through 6211.49 from any other chapter, except from headings 51.06 through 51.13, 52.04 through 52.12, 53.07 through 53.08, or 53.10 through 53.11, Chapter 54, or headings 55.08 through 55.16, 58.01 through 58.02, or 60.01 through 60.06, provided that the good is both cut and sewn or otherwise assembled in the territory of one or both of the Parties.

2. Delete Article 18.2(1)(a) and replace with the following:

(a) The Joint Committee shall comprise government officials of each Party and shall be chaired by (i) the United States Trade Representative and (ii) the Kingdom of Bahrain's Minister of Industry and Commerce or such other Minister appointed for this purpose in writing by the Bahraini Government, or their designees.

3. If the Parties implement further amendments to the Convention, the Parties shall be deemed to have agreed in writing to amend the provisions of ANNEX 3-A RULES OF ORIGIN FOR TEXTILE OR APPAREL GOODS FOR CHAPTERS 43, 50 THROUGH 62, 70, AND 94 of the Agreement to correspond to the changes made to each Party's tariff schedule to implement the amendments to the Convention. Such an amendment to Annex 3-A shall enter into force on such date as the Parties agree.

4. Pursuant to Article 21.2 of the Agreement, this Protocol shall enter into force after each Party notifies the other that it has completed its necessary approval procedures and on such date as the Parties agree.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement in duplicate, in the English and Arabic languages, each text being equally authentic.

Done at Manama, Bahrain, this 21st day of October, 2009.



**For the Government of the
United States of America**



**For the Government of the
Kingdom of Bahrain**