

to the Office of Textiles and Apparel website at <http://otexa.ita.doc.gov>.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current limits for certain categories are being adjusted for swing.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 68 FR 1599, published on January 13, 2003). Also see 68 FR 26575, published on May 16, 2003.

**Philip J. Martello,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

#### Committee for the Implementation of Textile Agreements

October 7, 2003.

Commissioner,  
Bureau of Customs and Border Protection,  
Washington, DC 20229

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on May 12, 2003, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textiles and textile products, produced or manufactured in Vietnam and exported during the twelve-month period which began on May 1, 2003 and extends through December 31, 2003.

Effective on October 15, 2003, you are directed to adjust the limits for the following categories, as provided for under the terms of the current bilateral textile agreement between the Governments of the United States and Vietnam:

Category	Restraint limit <sup>1</sup>
359-S/659-S <sup>2</sup> .....	368,356 kilograms.
447 .....	38,827 dozen.

<sup>1</sup> The limits have not been adjusted to account for any imports exported after April 30, 2003.

<sup>2</sup> Category 359-S: only HTS numbers 6112.39.0010, 6112.49.0010, 6211.11.8010, 6211.11.8020, 6211.12.8010 and 6211.12.8020; Category 659-S: only HTS numbers 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010 and 6211.12.1020.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Philip J. Martello,  
*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 03-26014 Filed 10-14-03; 8:45 am]

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#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

#### Designations under the Textile and Apparel Commercial Availability Provision of the African Growth and Opportunity Act (AGOA)

October 8, 2003.

**AGENCY:** The Committee for the Implementation of Textile Agreements (The Committee).

**ACTION:** Determination

**SUMMARY:** The Committee has determined that certain fabrics, enumerated below, for use in men's and boys' shirts, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA. The Committee hereby designates such apparel articles that are both cut and sewn or otherwise assembled in an eligible country from these fabrics as eligible for quota-free and duty-free treatment under the textile and apparel commercial availability provisions of the AGOA, and eligible under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 9819.11.24 to enter free of quotas and duties, provided all other fabrics are U.S. formed from yarns wholly formed in the U.S.

**EFFECTIVE DATE:** October 15, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Janet E. Heinzen, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 112(b)(5)(B) of the AGOA and Presidential Proclamation 7350 of October 2, 2000; Executive Order No. 13191 of January 17, 2001.

#### BACKGROUND:

The commercial availability provision of the AGOA provides for duty-free and quota-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries from fabric or yarn that is not formed in the United States if it has been determined that such yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner and certain procedural requirements have been met. In Presidential Proclamation 7350, the President proclaimed that this treatment would apply to such apparel articles from fabrics or yarns designated by the appropriate U.S. government authority in the Federal Register. In Executive Order 13191, the President authorized the Committee to determine whether particular yarns or fabrics

cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA.

On June 2, 2003, the Committee received a request alleging that certain fabrics, listed below, for use in men's and boys' shirts, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA. It requested that apparel articles from such fabrics be eligible for preferential treatment under the AGOA. On June 6, 2003, the Committee requested public comment on the petition (68 FR 33922). On June 23, 2003, the Committee and the U.S. Trade Representative (USTR) sought the advice of the Industry Sector Advisory Committee for Wholesaling and Retailing and the Industry Sector Advisory Committee for Textiles and Apparel. On June 23, 2003, the Committee and USTR offered to hold consultations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (collectively, the Congressional Committees). On July 14, 2003, the U.S. International Trade Commission provided advice on the petition. Based on the information and advice received and its understanding of the industry, the Committee determined that the fabrics set forth in the request cannot be supplied by the domestic industry in commercial quantities in a timely manner. On July 30, 2003, the Committee and USTR submitted a report to the Congressional Committees that set forth the action proposed, the reasons for such action, and advice obtained. A period of 60 calendar days since this report was submitted has expired, as required by the AGOA.

The Committee hereby designates as eligible for preferential treatment under subheading 9819.11.24 of the HTSUS, men's and boys' shirts, that are both cut and sewn or otherwise assembled in one or more eligible beneficiary sub-Saharan African countries, from the fabrics set forth below, not formed in the United States, provided that all other fabrics are wholly formed in the United States from yarns wholly formed in the United States, that are imported directly into the customs territory of the United States from an eligible beneficiary sub-Saharan African country.

An "eligible beneficiary sub-Saharan African country" means a country which the President has designated as a beneficiary sub-Saharan African country under section 506A of the Trade Act of 1974 (19 U.S.C. 2466a) and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 113 of the AGOA (19 U.S.C. 3722) and

resulting in the enumeration of such country in U.S. note 1 to subchapter XIX of chapter 98 of the HTSUS.

#### Fabrics named in the request:

- (a) Fabrics of subheadings 5208.21, 5208.22, 5208.29, 5208.31, 5208.32, 5208.39, 5208.41, 5208.42, 5208.49, 5208.51, 5208.52 or 5208.59, of average yarn number exceeding 135 metric;
- (b) Fabrics of subheadings 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 135 metric;
- (c) Fabrics of subheadings 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 135 metric;
- (d) Fabrics of subheadings 5208.22 or 5208.32, not of square construction, containing more than 75 warp ends and fillings picks per square centimeter, of average yarn number exceeding 135 metric;
- (e) Fabrics of subheadings 5407.81, 5407.82 or 5407.83, weighing less than 170 grams per square meter, having a dobby weave created by a dobby attachment, of average yarn number exceeding 135 metric;
- (f) Fabrics of subheadings 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, or exceeding 135 metric if the fabric is of oxford construction (a modified basket weave with a large filling yarn having no twist woven under and over two single, twisted warp yarns);
- (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 135 or greater metric, and characterized by a check effect produced by the variation in color of the yarns in the warp and filling;
- (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.

**Philip J. Martello,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc.03-26015 Filed 10-14-03; 8:45 am]

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## CONSUMER PRODUCT SAFETY COMMISSION

### Chairman's Public Field Hearing Concerning All Terrain Vehicles

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of public field hearing.

**SUMMARY:** The Chairman of the Consumer Product Safety Commission ("CPSC or Commission") will conduct a public field hearing in Albuquerque, New Mexico on November 6, 2003 to obtain information and views from the public concerning all terrain vehicles ("ATVs").

The Chairman requests members of the public to participate in this hearing. The Chairman is particularly interested in participation from users of ATVs (both recreational and occupational); persons who have been involved in accidents or have been injured while riding ATVs; state and local government officials or organizations involved with ATVs; medical professionals and emergency service providers; and manufacturers, distributors and dealers of ATVs.

**DATES:** The hearing will be held on November 6, 2003, beginning at 9 a.m. Requests to make oral presentations, and 10 copies of the text of the presentation, must be received by the Office of the Secretary no later than November 3, 2003. Persons making presentations at the meeting should provide an additional 10 copies for dissemination on the date of the meeting. The Chairman reserves the right to limit the number of persons who make presentations and the duration of their presentations. To prevent similar presentations, groups will be directed to designate a spokesperson.

**ADDRESSES:** The meeting will be held at Smith Brasher Hall, 717 University Blvd., S.W. (On the corner of University Blvd. and Coal Avenue), Albuquerque, New Mexico. Requests to make oral presentations, and texts of oral presentations should be captioned "ATV Hearing" and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda,

Maryland 20814. Requests and texts of oral presentations may also be submitted by facsimile to (301) 504-0127 or by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the schedule for submission of requests to make oral presentations and submission of texts of oral presentations, contact Rockelle Hammond, office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-6833; fax (301) 504-0127; or e-mail [rhammond@cpsc.gov](mailto:rhammond@cpsc.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This meeting will be the third in a series of field hearings on ATVs. During the summer the Chairman conducted hearings in Alaska, and the Commission held a hearing in Morgantown, West Virginia. The question of ATV safety has been an issue of interest to the Commission since the 1980's when the Commission filed a lawsuit under section 12 of the Consumer Product Safety Act ("CPSA") to declare ATVs an imminently hazardous consumer product. 15 U.S.C. 2061(b)(1). The lawsuit was settled in 1988 by Consent Decrees between the Commission and ATV distributors that were effective for 10 years. The Commission continues to gather information about ATV-related injuries and deaths.

From 1997 to 2001 the estimated number of ATV-related injuries treated in hospital emergency rooms rose from 54,700 to 111,700 (a 104% increase). Deaths have also been increasing, and the Commission staff has estimated that there were 547 deaths associated with the use of ATVs in 2000. From 1997 to 2001 the estimated number of ATV drivers rose from 12 million to 16.3 million (a 36% increase), the estimated total number of driving hours rose from 1575 million to 2364 million (a 50% increase), and the estimated number of ATVs rose from 4 million to 5.6 million (a 40% increase). None of the increases in these measures of exposure to the risk of operating ATVs accounts for the increases in the number of injuries during the same time period.

The Commission has been petitioned by the Consumer Federation of America and other groups (Petition CP-02-4/HP-02-1) requesting that the Commission ban adult-size four wheel ATVs that are sold for the use of children under 16 years of age. The Commission requested written comments on the petition (67 FR 64353 and 67 FR 78776). This hearing will provide an additional opportunity for the public to express their views about this petition.