

Dated: August 8, 2005.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

[FR Doc. E5-4383 Filed 8-11-05; 8:45 am]

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Denial of Commercial Availability Request under United States- Caribbean Basin Trade Partnership Act (CBTPA)

August 9, 2005.

AGENCY: Committee for the
Implementation of Textile Agreements
(CITA)

ACTION: Denial of the request alleging
that certain 100 percent cotton, yarn
dyed in the warp direction, seersucker
fabrics cannot be supplied by the
domestic industry in commercial
quantities in a timely manner under the
CBTPA.

SUMMARY: On June 7, 2005, the
Chairman of CITA received a petition
from Sandler, Travis & Rosenberg, P.A.,
on behalf of their client B*W*A of New
York City, alleging that certain 100
percent cotton, yarn dyed in the warp
direction, plain weave double warp
beam seersucker fabrics, of detailed
specifications, classified in subheadings
5208.42.30, 5208.42.40, 5208.42.50, and
5209.41.60 of the Harmonized Tariff
Schedule of the United States (HTSUS),
cannot be supplied by the domestic
industry in commercial quantities in a
timely manner. The petition requests
that woven shirts, blouses, and
sleepwear of such fabrics be eligible for
preferential treatment under the CBTPA.
CITA has determined that the subject
fabrics can be supplied by the domestic
industry in commercial quantities and
in a timely manner and, therefore,
denies the request.

FOR FURTHER INFORMATION CONTACT:
Richard Stetson, International Trade
Specialist, Office of Textiles and
Apparel, U.S. Department of Commerce,
(202) 482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 211(a) of the CBTPA
amending Section 213(b)(2)(A)(v)(II) of the
Caribbean Basin Economic Recovery Act
(CBERA); Section 6 of Executive Order No.
13191 of January 17, 2001; Presidential
Proclamation 7351 of October 2, 2000.

Background:

The CBTPA provides for quota- and
duty-free treatment for qualifying textile
and apparel products. Such treatment is
generally limited to products

manufactured from yarns and fabrics
formed in the United States or a
beneficiary country. The CBTPA also
provides for quota- and duty-free
treatment for apparel articles that are
both cut (or knit-to-shape) and sewn or
otherwise assembled in one or more
beneficiary countries from fabric or yarn
that is not formed in the United States,
if it has been determined that such
fabric or yarn cannot be supplied by the
domestic industry in commercial
quantities in a timely manner. In
Executive Order No. 13191 (66 FR
7271), CITA has been delegated the
authority to determine whether yarns or
fabrics cannot be supplied by the
domestic industry in commercial
quantities in a timely manner under the
CBTPA. On March 6, 2001, CITA
published procedures that it will follow
in considering requests (66 FR 13502).

On June 7, 2005, the Chairman of
CITA received a petition from Sandler,
Travis & Rosenberg, P.A., on behalf of
their client B*W*A of New York City,
alleging that certain 100 percent cotton,
yarn dyed in the warp direction, plain
weave double warp beam seersucker
fabrics, of detailed specifications,
classified in HTSUS subheadings
5208.42.30, 5208.42.40, 5208.42.50, and
5209.41.60, cannot be supplied by the
domestic industry in commercial
quantities in a timely manner. The
petition requests that woven shirts,
blouses, and sleepwear of such fabrics
be eligible for preferential treatment
under the CBTPA.

On June 13, 2005, CITA published a
notice in the Federal Register requesting
public comments on the petition
particularly with respect to whether
these fabrics can be supplied by the
domestic industry in commercial
quantities in a timely manner. See
**Request for Public Comments on
Commercial Availability Petition under
the United States - Caribbean Basin
Trade Partnership Act (CBTPA)**, 70 FR
34091 (June 13, 2005). On June 29, 2005,
CITA and USTR offered to hold
consultations with the House Ways and
Means Committee and the Senate
Finance Committee, but no
consultations were requested. We also
requested advice from the U.S.
International Trade Commission and the
relevant Industry Trade Advisory
Committees.

Based on the information and advice
received by CITA, public comments,
and the report from the International
Trade Commission, CITA found that
there is domestic production, capacity,
and ability to supply the subject fabrics
in commercial quantities in a timely
manner.

On the basis of currently available
information and our review of this
request, CITA has determined that the
domestic industry can supply the
subject fabrics in commercial quantities
in a timely manner. The request from
B*W*A is denied.

James C. Leonard III,

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

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Designation under the Textile and Apparel Commercial Availability Provisions of the United States- Caribbean Basin Trade Partnership Act (CBTPA)

August 9, 2005.

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

ACTION: Designation.

EFFECTIVE DATE: August 12, 2005.

SUMMARY: CITA has determined that
certain 100 percent cotton, 2 x 2 twill
weave, flannel fabrics, of ring spun and
combed 2 ply yarns, of the
specifications detailed below, classified
in subheading 5208.43.0000 of the
Harmonized Tariff Schedule of the
United States (HTSUS), cannot be
supplied by the domestic industry in
commercial quantities in a timely
manner. CITA hereby designates men's
and boys' woven cotton shirts and
women's and girl's woven cotton shirts
and blouses, that are both cut and sewn
or otherwise assembled in one or more
eligible CBTPA beneficiary countries
from such fabrics, as eligible for quota-
free and duty-free treatment under the
textile and apparel commercial
availability provisions of the CBTPA
and eligible under HTSUS subheadings
9820.11.27, to enter free of quota and
duties, provided that all other fabrics in
the referenced apparel articles are
wholly formed in the United States from
yarns wholly formed in the United
States, including fabrics not formed
from yarns, if such fabrics are
classifiable under HTS heading 5602 or
5603 and are wholly formed in the
United States.

FOR FURTHER INFORMATION CONTACT:
Janet Heinzen, Office of Textiles and
Apparel, U.S. Department of Commerce,
(202) 482-3400.

SUPPLEMENTARY INFORMATION: