

staple fiber, classified in subheading 5504.10 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the North American Free Trade Agreement (NAFTA) rule of origin for sanitary towels or tampons classified under HTSUS subheading 5601.10 should be modified to allow the use of non-North American viscose rayon staple fiber.

The President may proclaim a modification to the NAFTA rules of origin only after reaching an agreement with the other NAFTA countries on the modification. CITA hereby solicits public comments on this request, in particular with regard to whether woven fabrics of the type described below can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by February 10, 2006 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Martin J. Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2818.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 USC 1854); Section 202(q) of the North American Free Trade Agreement Implementation Act (19 USC 3332(q)); Executive Order 11651 of March 3, 1972, as amended.

**Background**

Under the North American Free Trade Agreement (NAFTA), NAFTA countries are required to eliminate customs duties on textile and apparel goods that qualify as originating goods under the NAFTA rules of origin, which are set out in Annex 401 to the NAFTA. The NAFTA provides that the rules of origin for textile and apparel products may be amended through a subsequent agreement by the NAFTA countries. See Section 202(q) of the NAFTA Implementation Act. In consultations regarding such a change, the NAFTA countries are to consider issues of availability of supply of fibers, yarns, or fabrics in the free trade area and whether domestic producers are capable of supplying commercial quantities of the good in a timely manner. The Statement of Administrative Action (SAA) that accompanied the NAFTA Implementation Act stated that any interested person may submit to CITA a request for a modification to a particular rule of origin based on a change in the

availability in North America of a particular fiber, yarn or fabric and that the requesting party would bear the burden of demonstrating that a change is warranted. NAFTA Implementation Act, SAA, H. Doc. 103-159, Vol. 1, at 491 (1993). The SAA provides that CITA may make a recommendation to the President regarding a change to a rule of origin for a textile or apparel good. SAA at 491. The NAFTA Implementation Act provides the President with the authority to proclaim modifications to the NAFTA rules of origin as are necessary to implement an agreement with one or more NAFTA country on such a modification. See section 202(q) of the NAFTA Implementation Act.

On December 19, 2005 the Chairman of CITA received a request from Meeks & Sheppard, on behalf of Johnson & Johnson Consumer Products Company, alleging that rayon viscose staple fiber, classified in subheading 5504.10 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the North American Free Trade Agreement (NAFTA) rule of origin for sanitary towels or tampons classified under HTSUS subheading 5601.10 should be modified to allow the use of non-North American viscose rayon staple fiber. The petitioner requested that the modification be effective for entries made on or after October 1, 2005, the date they alleged all rayon production ended in the United States.

CITA is soliciting public comments regarding this request, particularly with respect to whether viscose rayon staple fiber can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be received no later than February 10, 2006. Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee for the Implementation of Textile Agreements, room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230.

If a comment alleges that viscose rayon staple fiber can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer stating that it produces fiber that is the subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked business confidential from disclosure to the full extent permitted by law. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3100 in the Herbert Hoover Building, 14th and Constitution Avenue, NW., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-confidential version and a non-confidential summary.

**James C. Leonard III,**

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

[FR Doc. E6-160 Filed 1-10-06; 8:45 am]

**BILLING CODE 3510-DS-S**

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Request for Public Comment on Short Supply Petition under the North American Free Trade Agreement (NAFTA)**

January 5, 2006.

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

**ACTION:** Request for Public Comments concerning a request for modification of the NAFTA rules of origin for textile flock made from various man-made staple fiber and tow.

**SUMMARY:** On December 21, 2005 the Chairman of CITA received a request from Cellusuede Products, Inc. (Cellusuede), alleging that certain man-made staple fiber and tow, of the specifications detailed below, classified in the indicated subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the North American Free Trade Agreement (NAFTA) rule of origin for textile flock classified under HTSUS subheading 5601.30 should be modified to allow the use of non-North American man-made staple fiber and tow, of the specifications detailed below.

The President may proclaim a modification to the NAFTA rules of origin only after reaching an agreement with the other NAFTA countries on the modification. CITA hereby solicits public comments on this request, in particular with regard to whether woven fabrics of the type described below can

be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by February 10, 2006 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:**

Martin J. Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2818.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 USC 1854); Section 202(q) of the North American Free Trade Agreement Implementation Act (19 USC 3332(q)); Executive Order 11651 of March 3, 1972, as amended.

**Background**

Under the North American Free Trade Agreement (NAFTA), NAFTA countries are required to eliminate customs duties on textile and apparel goods that qualify as originating goods under the NAFTA rules of origin, which are set out in Annex 401 to the NAFTA. The NAFTA provides that the rules of origin for textile and apparel products may be amended through a subsequent agreement by the NAFTA countries. See Section 202(q) of the NAFTA Implementation Act. In consultations regarding such a change, the NAFTA countries are to consider issues of availability of supply of fibers, yarns, or fabrics in the free trade area and whether domestic producers are capable of supplying commercial quantities of the good in a timely manner. The Statement of Administrative Action (SAA) that accompanied the NAFTA Implementation Act stated that any interested person may submit to CITA a request for a modification to a particular rule of origin based on a change in the availability in North America of a particular fiber, yarn or fabric and that the requesting party would bear the burden of demonstrating that a change is warranted. NAFTA Implementation Act, SAA, H. Doc. 103-159, Vol. 1, at 491 (1993). The SAA provides that CITA may make a recommendation to the President regarding a change to a rule of origin for a textile or apparel good. SAA at 491. The NAFTA Implementation Act provides the President with the authority to proclaim modifications to the NAFTA rules of origin as are necessary to implement an agreement with one or more NAFTA country on such a modification. See section 202(q) of the NAFTA Implementation Act.

On December 21, 2005 the Chairman of CITA received a request from Cellusuede Products, Inc. (Cellusuede),

alleging that certain man-made staple fiber and tow, of the specifications detailed below, classified in the indicated subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the North American Free Trade Agreement (NAFTA) rule of origin for textile flock classified under HTSUS subheading 5601.30 should be modified to allow the use of non-North American man-made staple fiber and tow, of the specifications detailed below.

**Specifications:**

- 1) 3.0 denier (3.3 dtex) 100 kilotex uncrimped modacrylic tow. HTSUS 5501.30.
- 2) 3.0 denier (3.3 dtex) 50 kilotex solution-dyed black crimpless polyester tow moisture content less than 2% by weight. HTSUS 5501.20.
- 3) 3.0 denier (3.3 dtex) 100 kilotex crimpless polypropylene homopolymer tow. HTSUS 5501.90.
- 4) 3.0 denier (3.3 dtex) 100 kilotex crimpless polypropylene homopolymer staple fiber. HTSUS 5503.40.
- 5) 3.0 denier (3.3 dtex) solution dyed black T6.6 uncrimped nylon tow. HTSUS 5501.10.
- 6) 3.0 denier (3.3 dtex) bright viscose rayon tow. HTSUS 5502.00.
- 7) 1.5 denier (1.7 dtex) bright viscose rayon tow. HTSUS 5502.00.
- 8) 3.0 denier (3.3 dtex) solution dyed black viscose rayon tow. HTSUS 5502.00.
- 9) 3.0 denier (3.3 dtex) bright viscose rayon staple fiber. HTSUS 5504.10.
- 10) 1.5 denier (1.7 dtex) bright viscose rayon staple fiber. HTSUS 5504.10.

CITA is soliciting public comments regarding this request, particularly with respect to whether the man-made staple fiber and tow described above can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be received no later than February 10, 2006. Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee for the Implementation of Textile Agreements, room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230.

If a comment alleges that these man-made staple fibers and tows can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer stating that it produces fiber that is the

subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked business confidential from disclosure to the full extent permitted by law. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3100 in the Herbert Hoover Building, 14th and Constitution Avenue, NW., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-confidential version and a non-confidential summary.

**James C. Leonard III,**

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

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**CONSUMER PRODUCT SAFETY COMMISSION**

**Senior Executive Service; Performance Review Board; Membership**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of names of members.

**SUMMARY:** This notice lists the individuals who have been appointed to the Commission's Senior Executive Service Performance Review Board.

**EFFECTIVE DATE:** January 11, 2006.

**ADDRESSES:** Consumer Product Safety Commission, Office of the Secretary, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:**

Donna M. Simpson, Office of Human Resources, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-7218; e-mail [dsimpson@cpsc.gov](mailto:dsimpson@cpsc.gov)

Members of the Performance Review Board are listed below:

Lowell F. Martin (Chairman)  
 Gregory Rodgers  
 John Gibson Mullan  
 Patrick D. Weddle  
 Mary Ann T. Danello (alternate)  
 Jacqueline Elder (alternate)  
 Hugh M. McLaurin (alternate)  
 Joseph Mohorovic (alternate)  
 Marc Schoem (alternate)  
 Andrew G. Stadnick (alternate)  
 Patricia M. Semple (alternate)  
 Page C. Faulk (advisory member)  
 Donna Simpson (executive secretary)

Alternate members may be designated by the Chairman or the Chairman's