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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Solicitation of Public Comments on Request for Textile and Apparel Safeguard Action on Imports from China

April 28, 2005.

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

**ACTION:** Solicitation of public comments concerning a request for safeguard action on imports from China of other synthetic filament fabric (Category 620).

**SUMMARY:** On April 6, 2005, the Committee received a request from the American Manufacturing Trade Action Coalition, the National Council of Textile Organizations, the National Textile Association, and UNITE HERE requesting that the Committee limit imports from China of other synthetic filament fabric (Category 620). They request that a textile and apparel safeguard action, as provided for in the Report of the Working Party on the Accession of China to the World Trade Organization (the Accession Agreement), be taken on imports of other synthetic filament fabric. The Committee hereby solicits public comments on this request, in particular with regard to whether imports from China of other synthetic filament fabric are, due to market disruption, threatening to impede the orderly development of trade in this product. Comments must be submitted by June 3, 2005 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, United States Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Jay Dowling, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 204 of the Agriculture Act of 1956, as amended; Executive Order 11651, as amended.

#### BACKGROUND:

The Report of the Working Party on the Accession of China to the World

Trade Organization (Accession Agreement) provides that, if a WTO Member, such as the United States, believes that imports of Chinese origin textile and apparel products are, "due to market disruption, threatening to impede the orderly development of trade in these products", it may request consultations with China with a view to easing or avoiding the disruption. Pursuant to this provision, if the United States requests consultations with China, it must, at the time of the request, provide China with a detailed factual statement showing (1) the existence or threat of market disruption; and (2) the role of products of Chinese origin in that disruption. Beginning on the date that it receives such a request, China must restrict its shipments to the United States to a level no greater than 7.5 percent (6 percent for wool product categories) above the amount entered during the first 12 months of the most recent 14 months preceding the month in which the request was made.

On April 6, 2005, the Committee received a request that an Accession Agreement textile and apparel safeguard action be taken on imports from China of other synthetic filament fabric (Category 620). The Committee has determined that this request provides the information necessary for the Committee to consider the request in light of the considerations set forth in the Procedures. In this case, the Committee notes that imports from China of other synthetic filament fabric (Category 620) have increased from 1,534,747 square meters in the first quarter of 2004 to 12,132,793 square meters in the first quarter of 2005 (includes preliminary data for 2005). The text of the request is reproduced in full below.

The Committee is soliciting public comments on this request, in particular with regard to whether imports from China of other synthetic filament fabric are, due to market disruption, threatening to impede the orderly development of trade in this product.

Comments may be submitted by any interested person. Comments must be received no later than June 3, 2005. Interested persons are invited to submit ten copies of such comments to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, U.S. Department of Commerce, 14th and Constitution Avenue N.W., Washington, DC 20230.

If a comment alleges that there is no market disruption or that the subject imports are not the cause of market disruption, the Committee will closely review any supporting information and documentation, such as information about domestic production or prices of like or directly competitive products. Particular consideration will be given to comments representing the views of actual producers in the United States of a like or directly competitive product.

The Committee will protect any business confidential information that is marked "business confidential" from disclosure to the full extent permitted by law. To the extent that business confidential information is provided, two copies of a non-confidential version must also be provided in which business confidential information is summarized or, if necessary, deleted. Comments received, with the exception of information marked "business confidential", will be available for inspection between Monday - Friday, 8:30 a.m and 5:30 p.m in the Trade Reference and Assistance Center Help Desk, Suite 800M, USA Trade Information Center, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW, Washington, DC, (202) 482-3433.

The Committee expects to make a determination within 60 calendar days of the close of the comment period as to whether the United States will request consultations with China. If, however, the Committee is unable to make a determination within 60 calendar days, it will cause to be published a notice in the **Federal Register**, including the date by which it will make a determination. If the Committee makes a negative determination, it will cause this determination and the reasons therefore to be published in the **Federal Register**. If the Committee makes an affirmative determination that imports of Chinese origin other synthetic filament fabric are, due to market disruption, threatening to impede the orderly development of trade in these products, the United States will request consultations with China with a view to easing or avoiding such market disruption in accordance with the Accession Agreement and the Committee's procedures.

#### D. Michael Hutchinson,

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

BILLING CODE 3510-DS-S

April 6, 2005

James Leonard  
Chairman, Committee for the Implementation of Textile Agreements  
Room H3100  
U.S. Department of Commerce  
14<sup>th</sup> and Constitution Avenue, N.W  
Washington, D.C. 20230

Dear Mr. Leonard:

The American Manufacturing Trade Action Coalition (AMTAC), National Council of Textile Organizations (NCTO), National Textile Association (NTA), and UNITE HERE! Request that the Committee for the Implementation of Textile Agreements (CITA) take the necessary actions to impose a safeguard on U.S. imports from China of other synthetic filament fabric classified within Category 620 of the U.S. Textile and Apparel Category System. This request is made pursuant to the guidelines issued by CITA (68 F.R. 27788, May 21, 2003).

The parties submitting this request are trade associations and unions which are representative of either domestic producers of products like or directly competitive with other synthetic filament fabric contained in Category 620 or of domestic producers of components used in the production of products that are like or directly competitive with the products contained in Category 620.

For your background information, descriptions of each organization are as follows:

**AMTAC** is a not-for-profit manufacturing trade association established for the purpose of preserving and creating American manufacturing jobs through the establishment of trade policy and other measures necessary for the U.S. manufacturing sector to stabilize and grow. Its members are involved in a wide variety of manufacturing, including textiles, throughout the United States. AMTAC's office is in Washington, D.C.  
[www.amtacdc.org](http://www.amtacdc.org)

**NCTO** is a not-for-profit trade association established to represent the entire spectrum of the United States textile sector, from fibers to yarns to fabrics to finished products, as well as suppliers in the textile machinery, chemical and other such sectors which have a stake in the prosperity and survival of the U.S. textile sector. Its headquarters are in Washington, D.C. and it also maintains an office in Gastonia, North Carolina  
[www.ncto.org](http://www.ncto.org)

**NTA** is a not-for-profit trade association of companies who knit or weave fabrics in the United States, dye, print or otherwise finish fabrics in the United States, or supply fibers, yarns, or other services to the American textile industry. NTA's office is in Boston, Massachusetts [www.nationaltextile.org](http://www.nationaltextile.org)

**UNITE HERE!** was formed by a merger in 2004 of UNITE (formerly the Union of Needletrades, Textiles and Industrial Employees) and HERE (Hotel Employees and Restaurant Employees International Union). The union UNITE HERE represents more than 440,000 active members and more than 400,000 retirees throughout North America. UNITE HERE's headquarters are in New York, New York. [www.unitehere.org](http://www.unitehere.org)

It is the strong view of the petitioners that the surge in the preliminary first quarter imports from China of other synthetic filament fabric compounded with the long-term decline in U.S. production of these products constitutes market disruption under Section 11.242 of the Report of the Working Party on the Accession of China to the World Trade Organization (WTO).

In recent years, U.S. production has decreased in virtually all of the major cotton and man-made fiber fabric categories. The Petitioners assert that this decrease has been the direct result of two elements. These include the 32 percent increase in fabric imports over the last five years coupled with substantial increases in the imports of apparel and other final products in which U.S. fabric is not used. With the January 1, 2005 removal of quotas on all WTO members, total fabric imports for the first quarter 2005 were up 5.7 percent on a preliminary basis, but more important, U.S. fabric imports from China climbed 86.6 percent during the same period.

Since 2003, U.S. imports of other synthetic filament fabric have surged. In 2004, these imports were up 12 percent, and this was followed by a 75 percent hike in the preliminary first quarter figures.

CITA is well aware of the circumstances following the integration of certain categories on January 1, 2002 in which China registered enormous increases and quickly moved to dominate trade. Following the same track, U.S. imports of other synthetic filament fabric from China elevated by 770 percent in the preliminary first quarter figures, over the same quarter's trade in 2004. As demonstrated in the preliminary first quarter data, China's climb to top supplier has already begun, with China's percent share of imports rising from 2.1 percent for calendar year 2004 to 5.4 percent for the preliminary year ending March 2005. Furthermore, China's 12 percent import share for the preliminary first quarter ranks them second, far above the thirteenth place they held in calendar year 2004.

Sharp price reductions are likely a major element in the sudden surge of Chinese imports with the removal of quotas and corresponding quota costs. A review of recent price data indicates that China's January 2005 prices for other synthetic filament fabric averaged \$0.64/square meter. This average unit value is 49 percent below the price in January 2004 of \$1.26/square meter and 68 percent below the calendar year 2004 average price of \$1.97/square meter. As with the surging import numbers, the large and instantaneous price drops China demonstrated in January 2005 again followed the pattern established in 2002, with the removal of certain items from quota. In those categories integrated in 2002, China dropped its prices by an average of 54 percent.

In sum, surging low-priced imports from China and declining domestic production are clearly disrupting the U.S. market in Category 620. The language on safeguards in the U.S./China Protocol of Accession is based on language in the Multi-Fiber Agreement (MFA) and the WTO's Agreement on Textiles and Clothing (ATC). Both of those international agreements contained language providing for immediate action in the event of highly unusual and critical circumstances. We believe that current circumstances are such and that prompt action is necessary irrespective of the timelines in the CITA procedures.

Thank you for your consideration in this important matter.

Sincerely,



Auggie Tantillo  
Executive Director  
AMTAC



Cass Johnson  
President  
NCTO



Karl Spilhaus  
President  
NTA



Bruce Raynor  
General President  
UNITE HERE

**Table 1: U.S. Production, Imports, and Domestic Market Share for Other Synthetic Filament Fabric (Category 620) 1999-2003 and YTD and YE June 2004**

Time Period	U.S. Production (Thousand Square Meters)	U.S. Imports	Imports from China	U.S. Domestic Market Share (Percent)	Import Market Share (Percent)	China Market Share (Percent)
1999	4,697,148	368,648	1,747	92.7	7.3	0.03
2000	4,209,575	308,541	6,764	93.2	6.8	0.15
2001	3,372,886	283,901	4,666	92.2	7.8	0.13
2002	1,181,187	293,967	6,860	80.1	19.9	0.47
2003	1,016,425	253,051	4,473	80.1	19.9	0.35
YTD 6/03	527,703	125,628	1,732	80.8	19.2	0.27
YTD 6/04	557,556	135,497	3,112	80.5	19.5	0.45
YE 6/03	1,132,673	268,794	4,494	80.8	19.2	0.32
YE 6/04	1,046,277	262,920	5,852	79.9	20.1	0.45

Source: U.S. Imports, Production, Markets, Import Production Ratios and Domestic Market Shares for Textile and Apparel Product Categories (OTEXA/ITA/U.S. Department of Commerce)

**Table 2: U.S. Imports of Other Synthetic Filament Fabric (Category 620) 1999-2004, YE January 2004 and 2005, January 2004 and 2005, First Quarter 2004, and Preliminary First Quarter 2005 from the World and China: Quantity (Square Meters), Percent Change, and China's Percent Share of the World**

Time Period	U.S. Imports-Category 620 from:			China:		
	World:	Quantity (Square Meters)	Percent Change	Quantity (Square Meters)	Percent Change	Percent Share
1999	368,648,001			1,746,571		0.5
2000	308,541,491	-16.3		6,764,289	287.3	2.2
2001	283,901,283	-8.0		4,666,045	-31.0	1.6
2002	293,966,733	3.5		6,860,358	47.0	2.3
2003	253,206,412	-13.9		4,472,629	-34.8	1.8
2004	284,028,634	12.2		5,895,247	31.8	2.1
YTD 1/04	19,978,621			748,679		3.7
YTD 1/05	25,617,754	28.2		2,834,779	278.6	11.1
YE 1/04	249,689,297			5,127,619		2.1
YE 1/05	289,667,767	16.0		7,981,347	55.7	2.8
1 <sup>st</sup> Q/04	62,193,073			1,534,747		2.5
1 <sup>st</sup> Q/05(p)	109,011,398	75.3		13,349,039	769.8	12.2
YE 3/04	249,048,950			5,416,650		2.2
YE 3/05(p)	330,846,959	32.8		17,709,539	227.0	5.4

Source: (OTEXA Internet Site-Trade Data Section Tables of U.S. imports data from the Bureau of the Census/U.S. Department of Commerce and the U.S. Customs and Border Protection Service/U.S. Department of Homeland Security)

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Solicitation of Public Comments on Request for Textile and Apparel Safeguard Action on Imports from China

April 28, 2005.

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

**ACTION:** Solicitation of public comments concerning a request for safeguard action on imports from China of man-made fiber knit shirts and blouses (Category 638/639).

**SUMMARY:** On April 6, 2005, the Committee received a request from the American Manufacturing Trade Action Coalition, the National Council of Textile Organizations, the National Textile Association, and UNITE HERE requesting that the Committee limit imports from China of man-made fiber knit shirts and blouses (Category 638/639). They request that a textile and apparel safeguard action, as provided for in the Report of the Working Party on the Accession of China to the World Trade Organization (the Accession Agreement), be taken on imports of such man-made fiber knit shirts and blouses. The Committee hereby solicits public comments on this request, in particular with regard to whether imports from China of such man-made fiber knit shirts and blouses are, due to market disruption, threatening to impede the orderly development of trade in this product. Comments must be submitted by June 3, 2005 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, United States Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Jay Dowling, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION:

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Trade Organization (Accession Agreement) provides that, if a WTO Member, such as the United States, believes that imports of Chinese origin textile and apparel products are, "due to market disruption, threatening to impede the orderly development of trade in these products", it may request consultations with China with a view to easing or avoiding the disruption. Pursuant to this provision, if the United States requests consultations with China, it must, at the time of the request, provide China with a detailed factual statement showing (1) the existence or threat of market disruption; and (2) the role of products of Chinese origin in that disruption. Beginning on the date that it receives such a request, China must restrict its shipments to the United States to a level no greater than 7.5 percent (6 percent for wool product categories) above the amount entered during the first 12 months of the most recent 14 months preceding the month in which the request was made.

On April 6, 2005, the Committee received a request that an Accession Agreement textile and apparel safeguard action be taken on imports from China of man-made fiber knit shirts and blouses (Category 638/639). The Committee has determined that this request provides the information necessary for the Committee to consider the request in light of the considerations set forth in the Procedures. In this case, the Committee notes that imports from China of man-made fiber knit shirts and blouses (Category 638/639) have increased from 642,708 dozen in the first quarter of 2004 to 2,808,951 dozen in the first quarter of 2005 (includes preliminary data for 2005). The text of the request is reproduced in full below.

The Committee is soliciting public comments on this request, in particular with regard to whether imports from China of such man-made fiber knit shirts and blouses are, due to market disruption, threatening to impede the orderly development of trade in this product.

Comments may be submitted by any interested person. Comments must be received no later than June 3, 2005. Interested persons are invited to submit ten copies of such comments to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, U.S. Department of Commerce, 14th and Constitution Avenue N.W., Washington, DC 20230.

If a comment alleges that there is no market disruption or that the subject imports are not the cause of market disruption, the Committee will closely review any supporting information and documentation, such as information about domestic production or prices of like or directly competitive products. Particular consideration will be given to comments representing the views of actual producers in the United States of a like or directly competitive product.

The Committee will protect any business confidential information that is marked "business confidential" from disclosure to the full extent permitted by law. To the extent that business confidential information is provided, two copies of a non-confidential version must also be provided in which business confidential information is summarized or, if necessary, deleted. Comments received, with the exception of information marked "business confidential", will be available for inspection between Monday - Friday, 8:30 a.m and 5:30 p.m in the Trade Reference and Assistance Center Help Desk, Suite 800M, USA Trade Information Center, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW, Washington, DC, (202) 482-3433.

The Committee expects to make a determination within 60 calendar days of the close of the comment period as to whether the United States will request consultations with China. If, however, the Committee is unable to make a determination within 60 calendar days, it will cause to be published a notice in the **Federal Register**, including the date by which it will make a determination. If the Committee makes a negative determination, it will cause this determination and the reasons therefore to be published in the **Federal Register**. If the Committee makes an affirmative determination that imports of Chinese origin man-made fiber knit shirts and blouses are, due to market disruption, threatening to impede the orderly development of trade in these products, the United States will request consultations with China with a view to easing or avoiding such market disruption in accordance with the Accession Agreement and the Committee's procedures.

#### D. Michael Hutchinson,

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

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