

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Entry of Shipments of Cotton, Wool and Man-Made Fiber Textiles and Apparel in Excess of China Textile Safeguard Limits

November 29, 2005.

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

**ACTION:** Issuing a Directive to Commissioner, U.S. Customs and Border Protection.

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

#### SUPPLEMENTARY INFORMATION:

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

In a notice and letter to the Commissioner, U.S. Customs and Border Protection, published in the **Federal Register** on April 26, 2005 (70 FR 21399), CITA announced that shipments in excess of China safeguard limits will be subject to delayed staged entry in a manner similar to the procedure explained in a notice and letter to the Commissioner, U.S. Customs and Border Protection, published in the **Federal Register** on December 13, 2004 (69 FR 72181). Any overshipments of China safeguard quotas will be subject to the following procedures:

- (1) Entry will not be allowed until one month after the expiration date of the safeguard quota.
- (2) At that time, only 5 percent of

the base limit will be allowed entry for a one month period beginning on that date.

(3) An additional 5 percent will be allowed entry monthly until all overshipments are allowed entry.

Safeguard limits on textile and apparel goods from China have been in place as follows:

**Limits for Categories 338/339**, cotton knit shirts and blouses; 347/348, cotton trousers; 352/652, cotton and man-made fiber underwear have been in place since May 23, 2005;

**Limits for Categories 638/639**, man-made fiber knit shirts and blouses; 647/648, man-made fiber trousers; 301, combed cotton yarn; 340/640, men's and boys' cotton and man-made fiber shirts, not knit have been in place since May 27, 2005;

**and limits for Categories 349/649**, cotton and man-made fiber brassieres and other body supporting garments; 620, other synthetic filament fabric; have been in place since August 31, 2005

The limits for all these categories extend through December 31, 2005. (See 70 FR 29722, 70 FR 30930, 70 FR 52994, respectively). Any overshipments of these limits shall be subject to delayed and staged entry as described above, and as provided specifically in the accompanying directive to the Commissioner, U.S. Customs and Border Protection.

Shipments allowed entry pursuant to paragraph 8 of the Memorandum of Understanding between the Governments of the United States of America and the People's Republic of China concerning Trade in Textile and Apparel Products, signed and dated November 8, 2005 ("Memorandum of Understanding"), will not be subject to staged entry.

Staged entry requirements for overshipments of the October 29, 2004–October 28, 2005 safeguard limits for socks (in Categories 332/432/632part) for the November 1–December 31, 2005 period, and of the agreed level of restraint for socks (in Categories 332/432/632part) have been announced separately, in notices and letters to the Commissioner, U.S. Customs and Border Protection, published in the **Federal Register** on April 26, 2005 (70 FR 21399); and November 9, 2005 (70 FR 67992).

**James C. Leonard III,**

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

#### Committee for the Implementation of Textile Agreements

November 29, 2005.

Commissioner,

*U.S. Customs and Border Protection, Washington, DC 20229.*

Dear Commissioner: This directive provides instructions on permitting entry to goods shipped in excess of the China textile safeguard limits on cotton, wool and man-made fiber textiles and apparel products exported from China during the May 23, 2005–December 31, 2005 period (Categories 338/339, 347/348, and 352/652); the May 27, 2005–December 31, 2005 period (Categories 638/639, 647/648, 301, and 40/640); and the August 31, 2005–December 31, 2005 period (Categories 349/649, and 620).

From February 1 through February 28, 2006, you are directed to permit entry of goods in an amount equal to 5 percent of the base limits for the safeguards for 2005. These numbers have been calculated and are shown in the table below. For each succeeding period, beginning on the first of the month, and extending through the last day of the month, you are to permit entry of goods in an amount equal to the amounts in the table below until all shipments in excess of the safeguard limits have been entered.

Category	5 percent of base limit
301 .....	72,539 kilograms.
338/339 .....	235,206 dozen.
340/640 .....	110,656 dozen.
347/348 .....	217,032 dozen.
349/649 .....	363,761 dozen.
352/652 .....	253,145 dozen.
620 .....	616,415 square meters.
638/639 .....	142,219 dozen.
647/648 .....	133,034 dozen.

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

Sincerely,  
James C. Leonard III,

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

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**BILLING CODE 3510-DS-S**

## CONSUMER PRODUCT SAFETY COMMISSION

### Proposed Collection; Comment Request—Testing and Recordkeeping Requirements for Carpets and Rugs

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission requests comments on a proposed extension of approval, for a period of three years from the date of approval by the Office of Management and Budget (OMB), of information collection requirements for manufacturers and importers of carpets and rugs. The collection of information is in regulations implementing the Standard for the Surface Flammability of Carpets and Rugs (16 CFR part 1630) and the Standard for the Surface Flammability of Small Carpets and Rugs (16 CFR part 1631). These regulations establish requirements for testing and recordkeeping for manufacturers and importers who furnish guaranties for products subject to the carpet flammability standards. The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from the OMB.

**DATES:** The Office of the Secretary must receive comments not later than February 3, 2006.

**ADDRESSES:** Written comments should be captioned "Carpets and Rugs; Paperwork Reduction Act," and sent by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov). Written comments may also be sent to the Office of the Secretary by facsimile at (301) 504-0127, or by mail to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to the Office of the Secretary, Room 502, 4330 East-West Highway, Bethesda, Maryland 20814.

**FOR FURTHER INFORMATION CONTACT:** For information about the proposed collection of information call or write Linda L. Glatz, Management and Program Analyst, Office of Planning and Evaluation, Consumer Product Safety Commission, Washington, DC 20207; (301) 504-7671.

**SUPPLEMENTARY INFORMATION:****A. The Standards**

Carpets and rugs that have one dimension greater than six feet, a surface area greater than 24 square feet, and are manufactured for sale in or imported into the United States are subject to the Standard for the Surface Flammability of Carpets and Rugs (16 CFR part 1630). Carpets and rugs that have no dimension greater than six feet and a surface area not greater than 24 square feet are subject to the Standard for the Surface Flammability of Small Carpets and Rugs (16 CFR part 1631).

Both of these standards were issued under the Flammable Fabrics Act (FFA) (15 U.S.C. 1191 *et seq.*). Both standards require that products subject to their provisions must pass a flammability test that measures resistance to a small, timed ignition source. Small carpets and rugs that do not pass the flammability test comply with the standard for small carpets and rugs if they are permanently labeled with the statement that they fail the standard and should not be used near sources of ignition.

Section 8 of the FFA (15 U.S.C 1197) provides that a person who receives a guaranty in good faith that a product complies with an applicable flammability standard is not subject to criminal prosecution for a violation of the FFA resulting from the sale of any product covered by the guaranty. Section 8 of the FFA requires that a guaranty must be based on "reasonable and representative" tests. Many manufacturers and importers of carpets and rugs issue guaranties that the products they produce or import comply with the applicable standard. Regulations implementing the carpet flammability standards prescribe requirements for testing and recordkeeping by firms that issue guaranties. See 16 CFR part 1630, subpart B, and 16 CFR part 1631, subpart B. The Commission uses the information compiled and maintained by firms that issue these guaranties to help protect the public from risks of injury or death associated with carpet fires. More specifically, the information helps the Commission arrange corrective actions if any products covered by a guaranty fail to comply with the applicable standard in a manner that creates a substantial risk of injury or death to the public. The Commission also uses this information to determine whether the requisite testing was performed to support the guaranties.

The OMB approved the collection of information in the regulations under control number 3041-0017. OMB's most recent extension of approval expires on February 28, 2006. The Commission now proposes to request an extension of approval without change for the collection of information in the regulations.

**B. Estimated Burden**

The Commission staff estimates that the enforcement rules result in an industry expenditure of a total of 30,000 hours for testing and recordkeeping. The Commission staff estimates that 120 firms are subject to the information collection requirements because the firms have elected to issue a guaranty of

compliance with the FFA. The number of tests that a firm issuing a guaranty of compliance would be required to perform each year varies, depending upon the number of carpet styles and the annual volume of production. The staff estimates that the average firm issuing a continuing guaranty under the FFA is required to conduct a maximum of 200 tests per year. The actual number of tests required by a given firm may vary from 1 to 200, depending upon the number of carpet styles and the annual production volume. For purposes of estimating the burden, the staff used the midpoint, 100 tests per year. The time required to conduct each test is estimated by the staff to be 2½ hours plus the time required to establish and maintain the test record. The total annualized burden to respondents may be up to 12,000 tests per year at 2.5 hours per test or 30,000 hours. The estimated annualized cost to respondents may be up to \$862,500, based on an hourly wage of \$28.75 (Bureau of Labor Statistics, June 2005) × 30,000 hours. The estimated annual cost of the information and collection requirements to the Federal government is approximately \$28,000. This sum includes three staff months expended for examination of the records required to be maintained.

**C. Request for Comments**

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Dated: November 29, 2005.

**Todd A. Stevenson,**  
Secretary, Consumer Product Safety Commission.

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