

In a letter to the Commissioner of Customs dated January 18, 2001, the United States Trade Representative directed Customs to require that importers provide an appropriate export visa from a beneficiary sub-Saharan African country to obtain preferential treatment under section 112(a) of the AGOA (66 FR 7837). The first digit of the visa number corresponds to one of nine groupings of textile and apparel products that are eligible for preferential tariff treatment. Grouping "9" is reserved for handmade, handloomed, or folklore articles.

CITA has consulted with Tanzanian authorities, and has determined that handloomed fabrics, handloomed articles (e.g., handloomed rugs, scarves, place mats, and tablecloths), handmade articles made from handloomed fabrics, and the folklore articles described in the annex to this notice, if produced in and exported from Tanzania, are eligible for preferential tariff treatment under section 112(a) of the AGOA. In the letter published below, CITA directs the Commissioner of Customs and Border Protection to allow duty-free entry of such products under U.S. Harmonized Tariff Schedule subheading 9819.11.27 if accompanied by an appropriate AGOA visa in grouping "9".

James C. Leonard III,
Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 1, 2004.

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

Dear Commissioner: The Committee for the Implementation of Textiles Agreements (CITA), pursuant to Sections 112(a) of the African Growth and Opportunity Act (Title I of Pub. L. No. 106-200) (AGOA) and Executive Order 13191 of January 17, 2001, has determined, effective on September 13, 2004, that the following articles shall be treated as "handloomed, handmade, and folklore articles" under the AGOA: (a) handloomed fabrics, handloomed articles (e.g., handloomed rugs, scarves, placemats, and tablecloths), and hand-made articles made from handloomed fabrics, if made in Tanzania from fabric handloomed in Tanzania; and (b) the folklore articles described in the attachment to this letter if made in Tanzania. Such articles are eligible for duty-free treatment only if entered under subheading 9819.11.27 and accompanied by a properly completed visa for product grouping "9", in accordance with the provisions of the Visa Arrangement between the Government of Tanzania and the Government of the United States Concerning Textile and Apparel Articles Claiming Preferential Tariff Treatment under Section 112 of the Trade and Development Act of

2000. After additional consultations with Tanzanian authorities, CITA may determine that other textile and apparel goods shall be treated as handloomed, handmade, or folklore articles.

Sincerely,
James C. Leonard III,
Chairman, Committee for the Implementation of Textile Agreements.

ANNEX - Folklore Articles

CITA has determined that the following textile and apparel goods shall be treated as folklore articles for purposes of the AGOA if made in Tanzania and certified by a competent authority. Articles must be ornamented in characteristic Tanzanian or regional folk style, i.e., Kikoi items, as described below. An article may not include modern features such as zippers, elastic, elasticized fabrics, or hook-and-pile fasteners (such as Velcro ® or similar holding fabric). An article may not incorporate patterns that are not traditional or historical to Tanzania, such as airplanes, buses, cowboys, or cartoon characters and may not incorporate designs referencing holidays or festivals not common to traditional Tanzanian culture, such as Halloween and Thanksgiving.

Kikoi (also spelled kikoy)

Kikoi is a traditional Tanzanian multipurpose fabric of the East African coast, varying in size depending on use. Kikoi is a 100 percent cotton fabric, either handloomed or machine-made. Kikoi has distinct striped or plaid patterns and usually has knotted or un-knotted tassels along each hem. If striped, the stripes are vertical along the selvedge edges in bright colors, such as red, yellow, orange, green, or blue for garments. Folklore articles made of Kikoi fabric eligible for treatment as folklore articles are currently limited to the Mgolole, the Traditional Kikoi Shirt, and the Traditional Kikoi Boubou, as described below. Handloomed Kikoi fabric and handmade articles of such fabric may be eligible for preferential AGOA treatment as handloomed or handmade articles, but not as folklore articles.

Eligible folklore articles:

(a) Mgolole (Body Wrap, Scarf)

Made of Kikoi fabric, these traditional garments are worn as a wrap around garment by both men and women all over the East African coast, similar to the sarong of South East Asia. This traditional garment is draped over one shoulder and held in place with a knot. The Kikoi Mgolole can also be thrown over one shoulder for decoration or treated as a normal scarf. Dimensions for the Mgolole are approximately 45 x 80 inches long for wraps and 12 x 80 inches for scarves. The unfinished top and lower hems are knotted or un-knotted tassels along each hem.

(b) Traditional Kikoi Shirt

Made of Kikoi fabric, the article is a loose-fitting, straight-seamed shirt. Sleeves are half to three-quarter in length. The neckline is rounded or v-shaped, without collar. The shirt may or may not have square-shaped breast and lower front pockets. It may have wooden button fastenings below the

neckline. Kikoi striped-trim typically decorates the neckline, pockets and each arm opening. The bottom hem and/or pockets may be finished or left unfinished with fringe or knotted tassels hanging.

(c) Traditional Kikoi Boubou (long tunic)

A loose flowing, straight-seamed, non-tailored, full-length outer tunic, made of Kikoi fabric. The neckline is rounded or v-shaped, without collar. Kikoi striped-trim decorates the neckline and each arm opening, which extend down the full length of the garment. There are no discernable sleeves. The garment is rectangular in shape. The bottom hem can be finished or left unfinished with fringe knotted tassels hanging.

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on Commercial Availability Petition under the United States - Caribbean Basin Trade Partnership Act (CBTPA)

September 3, 2004.

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

ACTION: Request for public comments concerning a petition for determinations that certain twill rayon/nylon/spandex warp stretch fabric cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

SUMMARY: On August 31, 2004, the Chairman of CITA received a petition from Grunfeld, Desiderio, Lebowitz, Silverman, and Klestadt LLP, on behalf of Mast Industries, Inc., alleging that certain twill rayon/nylon/spandex warp stretch fabric, of the specifications detailed below, classified in subheading 5516.22.0040 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 apparel articles of such fabrics assembled in one or more CBTPA beneficiary countries be eligible for preferential treatment under the CBTPA. CITA hereby solicits public comments on this petition, in particular with regard to whether this fabric can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by September 23, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution, N.W., Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION:

Authority: Section 213(b)(2)(A)(v)(II) of the CBERA, as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

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 or fabrics formed in the United States. 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 CBTPA 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, the President delegated to CITA 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 and directed CITA to establish procedures to ensure appropriate public participation in any such determination. On March 6, 2001, CITA published procedures that it will follow in considering requests. (66 FR 13502).

On August 31, 2004, the Chairman of CITA received a petition on behalf of Mast Industries, Inc., alleging that certain twill rayon/nylon/spandex warp stretch fabric, of the specifications detailed below, classified HTSUS subheading 5516.22.0040, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota- and duty-free treatment under the CBTPA for apparel articles that are cut and sewn in one or more CBTPA beneficiary countries from such fabrics.

Specifications:

HTSUS Sub-heading:	5516.22.0040
Fiber Content:	77% staple rayon/ 20% filament nylon/ 3% filament spandex
Weight:	245 g/m ²
Construction:	2 X 1 twill weave
Thread Count:	39.4 warp ends per centimeter and 29.9 filling picks per centimeter

Yarn Number:

Warp: 70 denier filament nylon yarns gimped around a core of 40 denier monofilament spandex; filling: 10/1 c.c. staple rayon yarn

The petitioner emphasizes the importance of weaving and dyeing the fabric under controlled "relaxed" (i.e. tensionless) conditions. The subject fabric requires the use of tentering frames to overfeed the fabric through a relaxed drying process.

CITA is soliciting public comments regarding this request, particularly with respect to whether this fabric can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other fabrics that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for the fabric for purposes of the intended use. Comments must be received no later than September 23, 2004. 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, N.W., Washington, DC 20230.

If a comment alleges that this fabric 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 of the fabric stating that it produces the fabric 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, N.W., 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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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**Request for Public Comments on Commercial Availability Petition under the United States - Caribbean Basin Trade Partnership Act (CBTPA)**

September 3, 2004.

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

ACTION: Request for public comments concerning a petition for determinations that certain circular single knit jersey fabric cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

SUMMARY: On August 31, 2004, the Chairman of CITA received a petition from Sandler, Travis & Rosenberg, P.A., on behalf of Jaclyn, Inc. of New York, alleging that certain circular single knit jersey fabric of the specifications detailed below, classified in subheading 6006.32.00.80 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 women's and girl's nightwear of such fabric assembled in one or more CBTPA beneficiary countries be eligible for preferential treatment under the CBTPA. CITA hereby solicits public comments on this petition, in particular with regard to whether this fabric can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by September 23, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution, N.W., Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT:

Anna Flaaten, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 213(b)(2)(A)(v)(II) of the CBERA, as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

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 or fabrics formed in the United States. The CBTPA also provides for quota- and duty-free treatment for apparel articles that are