

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)

February 8, 2006.

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

ACTION: Request for public comments
concerning a petition for a
determination that certain 100 percent
cotton, 3- or 4-thread twill weave,
flannel fabrics cannot be supplied by
the domestic industry in commercial
quantities in a timely manner under the
CBTPA.

SUMMARY: On February 7, 2006, the
Chairman of CITA received a petition
from Sandler, Travis & Rosenberg, P.A.,
on behalf of B*W*A of New York, New
York, alleging that certain 100 percent
cotton, 3- or 4-thread twill weave,
flannel fabrics, of yarn-dyed, combed
and ring spun single 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. The petition requests that
woven cotton shirts, blouses, and
dressing gowns 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 these fabrics can be
supplied by the domestic industry in
commercial quantities in a timely
manner. Comments must be submitted
by February 28, 2006 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:
Maria K. Dybczak, 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
Caribbean Basin Economic Recovery Act, 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 February 7, 2006, the Chairman of
CITA received a petition on behalf of
B*W*A of New York, New York,
alleging that certain 100 percent cotton,
3- or 4-thread twill weave, flannel
fabrics, of yarn-dyed, combed and ring
spun single yarns, of the specifications
detailed below, classified HTSUS
subheading 5208.43.0000, 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
woven cotton shirts, blouses and
dressing gowns that are cut and sewn in
one or more CBTPA beneficiary
countries from such fabrics.

Specifications:

Fiber Content:	100% Cotton
Weight:	98 - 150 g/m ²
Thread Count:	39 - 66 warp ends per centi- meter; 27 - 39 filling picks per centimeter;
Yarn Number:	84 - 86 metric warp and fill- ing, ring spun, combed;
Weave:	3- or 4-thread twill;
Finish:	Of yarns of different colors; plaids, checks and stripes, napped on both sides, and pre-shrunk.

The petitioner emphasizes that the
fabrics in question are made of yarn
dyed with fiber reactive dyes, that are
combed and ring spun, and that the
finished fabric must be napped on both
sides, and pre-shrunk.

CITA is soliciting public comments
regarding this request, particularly with
respect to whether these fabrics 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 February 28, 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 St. N.W. and
Constitution Avenue, N.W.,
Washington, DC 20230.

If a comment alleges that these fabrics
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 generally considers specific
details, such as quantities and lead
times for providing the subject product
as business confidential. However,
information such as the names of
domestic manufacturers who were
contacted, questions concerning the
capability to manufacture the subject
product, and the responses thereto
should be available for public review to
ensure proper public participation in
the process. If this is not possible, an
explanation of the necessity for treating
such information as business
confidential must be provided. 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 St. N.W. 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.*

[FR Doc.06-1370 Filed 2-9-06; 2:29 pm]

BILLING CODE 3510-DS-S