

**The petitioner further describes the fabric as follows:**

One face appears to be piece dyed, but in fact the filling yarns have been dyed prior to weaving. There are two sets of filling yarns, thus a loom capable of pick and pick filling insertion is required. In this instance, the warp is also dyed prior to weaving, but may be undyed as well. On the other face (intended to be the fabric back), the dyed yarns have been covered by a vivid print which extends from selvedge to selvedge. The printing is done with fiber reactive dyes, not pigments. The fabric is heavily napped on both sides.

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 March 24, 2005. 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 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 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)**

March 4, 2005.

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

**ACTION:** Request for public comments concerning a petition for a determination that certain 100 percent cotton, 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 March 3, 2005, 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, 4-thread twill weave, flannel fabrics, of yarn-dyed, ring spun and plied 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 men's and boys' woven cotton shirts 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 March 24, 2005 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution, NW., Washington, DC 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 March 3, 2005, the Chairman of CITA received a petition on behalf of B\*W\*A of New York, New York alleging that certain 100 percent cotton, 4-thread twill weave, flannel fabrics, of yarn-dyed, ring spun and plied 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 certain apparel articles that are cut and sewn in one or more CBTPA beneficiary countries from such fabrics.

**Specifications:**

Petitioner Style No:	153, 154, 155, 156, W3004
Fiber Content:	100% Cotton
Weight:	168 - 172 g/m <sup>2</sup>
Width:	142 - 145 centimeters
Thread Count:	25 -26 warp ends per centimeter; 23-24 filling pick per centimeter; total 48-50 threads per square centimeter
Yarn Number:	35/2 - 36/2 metric warp and filling, ring spun; Overall average yarn number: 32-34 metric
Weave:	4-thread twill

Finish: Of two or more yarns of different colors in the warp and filling, napped on both sides

The petitioner emphasizes that the yarns must be ring spun, the yarns must be plied, and the fabric is napped on both sides. The petitioner further states that because of the fabric's light weight and the fact that it is napped on both sides, it is imperative that the yarns be ring spun and plied in order to offset the degrading effects of napping on both sides.

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 March 24, 2005. 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 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 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)

March 4, 2005.

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

**ACTION:** Request for public comments concerning a petition for a determination that certain 100 percent cotton, 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 March 3, 2005, 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, 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 men's and boys' woven cotton shirts 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 March 24, 2005 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 March 3, 2005, the Chairman of CITA received a petition on behalf of B\*W\*A of New York, New York alleging that certain 100 percent cotton, 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 men's and boys' woven cotton shirts that are cut and sewn in one or more CBTPA beneficiary countries from such fabrics.

#### Specifications:

Petitioner Style No:	5375
Fiber Content:	100% Cotton
Weight:	136 - 140 g/m <sup>2</sup>
Width:	148 - 152 centimeters
Thread Count:	38 - 40 warp ends per centimeter; 28 - 30 filling picks per centimeter; total 66 - 70 threads per square centimeter
Yarn Number:	48 - 52 metric warp and filling, ring spun, combed; average yarn number: 48 - 50 metric
Weave:	4-thread twill
Finish:	Of two or more and up to eight yarns of different colors; napped on both sides

The petitioner emphasizes that the yarns must be combed and ring spun; that yarns of at least two and as many as eight different colors will be used in both warp and filling; and the fabric must be napped on both sides.