

Report of the Committee for the Implementation of Textile Agreements

Approval of a Commercial Availability Request under the Dominican Republic-Central America-U.S. Free Trade Agreement to Remove or Restrict Certain Compacted, Plied, Ring Spun Cotton Yarns from Annex 3.25

On July 20, 2011, the Chairman of CITA received a request from Parkdale Mills and Buhler Quality Yarns for a commercial availability determination to remove or restrict (“Request”) certain compacted, plied, ring spun cotton yarns, currently on Annex 3.25 of the CAFTA-DR. Parkdale Mills and Buhler Quality Yarns offered to supply yarns substitutable for the specified yarns, and provided documentation demonstrating their ability to supply. On July 22, 2011, in accordance with procedures established by CITA for commercial availability proceedings under CAFTA-DR (*Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement*, 73 FR 53200 (September 15, 2008)) (“CITA’s procedures”), CITA notified interested parties of the Request, which was posted on the dedicated website for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response (“Response”) to the Request must be submitted by August 3, 2011, and any rebuttal to a Response (“Rebuttal”) must be submitted by August 9, 2011 in accordance with Sections 6, 7 and 9 of CITA’s procedures. No interested entity submitted a Response advising CITA of its objection to the Request.

The record for the proceeding may be found at: <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf> under “Approved Requests,” and the following reference number:

156.2011.07.20.Yarn.ParkdaleMillsandBuhlerQualityYarns

In accordance with Section 203(o) of the CAFTA-DR Implementation Act, Article 3.25 of the CAFTA-DR, and Section 9(c)(3) of CITA’s procedures, if CITA determines that a CAFTA-DR supplier is capable to supply the subject product (or one substitutable), in a timely manner, in quantities greater than requested originally, then that product will be removed from the Commercial Availability List in Annex 3.25 of the CAFTA-DR Agreement. In their Request, Parkdale Mills and Buhler Quality Yarns demonstrated their ability to supply a substitutable product in commercial quantities in a timely manner, and no interested entity submitted a Response advising CITA of its objections. Therefore, CITA approved the Request, that the subject product will be removed from the list in Annex 3.25. CITA notes that the subject product was added to Annex 3.25 in the course of negotiations with CAFTA-DR partner countries, and there was no quantity requested for the subject product. Therefore, the product will be removed in its entirety, and textile and apparel articles containing the subject product will not be treated as originating in a CAFTA-DR country if the subject product is obtained from non-CAFTA-DR sources, effective for goods entered into the United States on or after 180 days after the date of publication of the FR notice, or February 20, 2012.