

in the original signed comments only. Brackets must be placed around all business confidential information. Comments containing business confidential information must have a bolded heading stating "Confidential Version." Attachments considered business confidential information must have a heading stating "Business Confidential Information". The Committee will protect from disclosure any business confidential information that is marked "business confidential" to the full extent permitted by law. Except for the inclusion of business confidential information, the two versions of comments should be identical.

(3) All comments submitted via "email" will be made available for public inspection at the Office of Textile and Apparel, Room H3001A, the Department of Commerce, 14th and Constitution Avenue N.W., Washington, DC, between the hours of 8:30 a.m. and 5:00 p.m. on business days. In addition, the "email" version of the comments will be posted for public review on the Office of Textile and Apparel, CAFTA-DR Free Trade Agreement website <http://otexa.ita.doc.gov/tradeagree2007.htm>.

R. Matthew Priest,

Chairman, Committee for the Implementation of Textile Agreements.

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Determination under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR Agreement)

November 28, 2007.

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

ACTION: Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement

EFFECTIVE DATE: December 3, 2007.

SUMMARY: The Committee for the Implementation of Textile Agreements (CITA) has determined that certain woven polyester/spandex moleskin fabric, as specified below, are not available in commercial quantities in a timely manner in the CAFTA-DR

countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

FOR FURTHER INFORMATION CONTACT: Richard Stetson, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482 2582.

FOR FURTHER INFORMATION ON-LINE: <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf.Reference> number: 37.2007.10.29.Fabric.Alston&Birdfor GlennRiver.

SUPPLEMENTARY INFORMATION:

Authority: Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (CAFTA-DR Act); the Statement of Administrative Action (SAA), accompanying the CAFTA-DR Act; Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

BACKGROUND:

The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25(4)-(5), when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25, Note; see also section 203(o)(4)(C) of the Act.

The CAFTA-DR Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA-DR Act for modifying the Annex 3.25 list. On March 21, 2007, CITA published final procedures it would follow in considering requests to modify the Annex 3.25 list (72 FR 13256).

On October 29, 2007, the Chairman of CITA received a commercial availability request from Alston & Bird, LLP, on behalf of Glen River Trading, for certain polyester/spandex woven moleskin fabric of the specifications detailed below. On October 31, 2007, CITA notified interested parties of, and posted on its website, the accepted petition and requested that interested entities provide, by November 13, 2007, a

response advising of its objection to the commercial availability request or its ability to supply the subject product. CITA also explained that rebuttals to responses were due to CITA by November 19, 2007.

No interested entity filed a response advising of its objection to the request or its ability to supply the subject product.

In accordance with Section 203(o)(4)(C) of the CAFTA-DR Act, and its procedures, as no interested entity submitted a response objecting to the request or expressing an ability to supply the subject product, CITA has determined to add the specified fabrics to the list in Annex 3.25 of the CAFTA-DR Agreement.

The subject fabrics are added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities. A revised list has been published on-line.

Woven fabric specifications:

HTS Subheading(s):

5407.92.2050
5407.92.2090
5407.93.2050
5407.93.2090
5407.94.2050
5407.94.2090
5512.19.0005
5512.19.0045
5512.19.0090
5515.12.0040
5515.12.0090

Specifications:

Fiber content: 96 to 99 percent polyester with 1 to 4 percent spandex

Yarn: **Warp:** singles polyester filament of various yarn sizes
Filling: singles polyester filament of various yarn sizes combined with spandex filament of various deniers

Thread count: 55 to 71 warp ends by 23 to 37 filling picks per centimeter

Weave type: Various (including satin or twill)

Weight: 210 to 275 grams per square meter

Width: 109 to 152 centimeters

Finish: Jet dyed or printed

R. Matthew Priest,

Chairman, Committee for the Implementation of Textile Agreements.

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