

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Regulations to Prevent Circumvention of Textiles and Textile Products Agreements

July 27, 1999.

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

ACTION: Issuing a directive to the Commissioner of Customs directing Customs to issue regulations regarding the denial of entry of shipments from companies determined to be illegally transshipping.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended; Executive Order 12475 of May 9, 1984, as amended.

Under Title 19, Section 12.130 of the Code of Federal Regulations, U.S. Customs is required to make a country of origin determination of textiles and textile products. Such determination may be made on the basis of information provided by the importer or, at the discretion of U.S. Customs, on the best information available. In order to develop such information, U.S. Customs often has conducted on-site verification of production in foreign countries.

The Chairman of CITA has authorized U.S. Customs to deny entry of certain textiles and textile products subject to Section 204 of the Agricultural Act of 1956 if U.S. Customs on-site verification of production is not permitted (see **Federal Register** notice 61 FR 33793, published on June 28, 1996). Based on information obtained, including through on-site verifications, U.S. Customs reports that some companies have been found to be illegally transshipping, have been closed, or have been unable to produce records to verify production. In order to secure compliance with U.S. law, including Section 204 and U.S. customs law, to carry out textile and textile product agreements, and to avoid circumvention of textile agreements, CITA directs the Commissioner of Customs as soon as possible to issue regulations permitting U.S. Customs to deny entry to textiles and textile products where the declared manufacturer has been named in a CITA directive as a company found to be

illegally transshipping, closed or unable to produce records to verify production.

In future directives, the Chairman of CITA may direct U.S. Customs to deny entry to textiles and textile products allegedly manufactured in companies found to be illegally transshipping, closed, or unable to produce records to verify production. CITA will publish such directives, including the names of such companies, in the Federal Register.

Troy H. Cribb

Chairman, Committee for the Implementation of Textile Agreements

Committee for the Implementation of Textile Agreements

July 27, 1999.

Commissioner of Customs
Department of Treasury, Washington, DC 20229

Dear Commissioner: Under Title 19, Section 12.130 of the Code of Federal Regulations, U.S. Customs is required to make a country of origin determination of textiles and textile products. Such determination may be made on the basis of information provided by the importer or, at the discretion of U.S. Customs, on the best information available. In order to develop such information, U.S. Customs has often conducted on-site verification of production in foreign countries.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA) has authorized the Commissioner of Customs to deny entry of certain textiles and textile products subject to Section 204 of the Agricultural Act of 1956 if U.S. Customs on-site verification of production is not permitted (see 61 FR 33793, dated June 24, 1996). Based on information obtained, including through on-site verifications, U.S. Customs reports that some companies have been found to be illegally transshipping, have been closed, or have been unable to produce records to verify production. In order to secure compliance with U.S. law, including Section 204 and U.S. customs law, to carry out textile and textile product agreements, and to avoid circumvention of textile agreements, CITA directs the Commissioner of Customs, as soon as possible, to issue regulations permitting U.S. Customs to deny entry to textiles and textile products where the declared manufacturer has been named in a CITA directive as a company found to be illegally transshipping, closed or unable to produce records to verify production.

In future directives, the Chairman of CITA may direct U.S. Customs to deny entry to textiles and textile products allegedly manufactured in companies found to be illegally transshipping, closed, or unable to produce records to verify production. CITA will publish such directives, including the names of such companies, in the Federal Register.

CITA has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Troy H. Cribb

Chairman, Committee for the Implementation of Textile Agreements

[FR Doc. 99-19610 Filed 7-29-99; 8:45 am]

BILLING CODE 3510-DR-F

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Denying Entry to Textiles and Textile Products Allegedly Produced in Certain Companies in Macau

July 27, 1999.

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

ACTION: Issuing a directive to the Commissioner of Customs directing Customs to deny entry to shipments allegedly manufactured in certain companies in Macau.

EFFECTIVE DATE: September 1, 1999.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 12475 of May 9, 1984, as amended.

The U.S. Customs Service has conducted on-site verification of textile and textile product production in a number of foreign countries. Based on information obtained through on-site verifications and from other sources, U.S. Customs has informed CITA that certain companies were illegally transshipping, were closed, or were unable to produce records to verify production. The Chairman of CITA has directed the U.S. Customs Service to issue regulations regarding the denial of entry of shipments from such companies (see related notice concerning regulations to prevent circumvention published elsewhere in this issue of the **Federal Register**). In order to secure compliance with U.S. law, including Section 204 and U.S. customs law, to carry out textile and textile product agreements, and to avoid circumvention of textile agreements, the Chairman of CITA is directing the U.S. Customs Service to deny entry to textiles and textile products allegedly manufactured by the companies listed in the attached directive; Customs has informed CITA that these companies were found to have been illegally

transshipping, closed, or unable to produce records to verify production.

Should CITA determine that this list should be amended, such amendments will be published in the Federal Register.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

July 27, 1999.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: The U.S. Customs Service has conducted on-site verification of textile and textile product production in a number of foreign countries. Based on information obtained through on-site verifications and from other sources, U.S. Customs has informed CITA that certain companies were illegally transshipping, were closed, or were unable to produce records to verify production. The Chairman of CITA has directed the U.S. Customs Service to issue regulations regarding the denial of entry of shipments from such companies (see related directive concerning regulations to prevent circumvention published elsewhere in this issue of the **Federal Register**). In order to secure compliance with U.S. law, including Section 204 and U.S. customs law, to carry out textile and textile product agreements, and to avoid circumvention of textile agreements, the Chairman of CITA directs the U.S. Customs Service, effective for goods exported on and after September 1, 1999, to deny entry to textiles and textile products allegedly manufactured by the Macau companies listed below; Customs has informed CITA that these companies were found to have been illegally transshipping, closed, or unable to produce records to verify production:

1. Artistica, Fabrica
2. Broadwell Garment Factory
3. Chan Chan, Fabrica de Artigos de Vestuario
4. Cheong Long, Fabrica de Art de Vestuario
5. Chi Fat, Fabrica de Vestuario
6. Chi Fung Garment Factory
7. Cidade Nova
8. E. Tin Chong Ou, Fabrica de Fia. Vestuario
9. Ever Long, Fabrica de Art de Vestuario (AKA Wan Long, Wing Long)
10. Fok Seng
11. Harvest Garment Factory
12. Henford, Fabrica de Art de Vestuario
13. Heng Tai, Fabrica de Vestuario
14. Hip Seng
15. Iu Fai
16. Ka Fung
17. Kai Fu
18. Kai Son, Fabrica de Vestuario
19. Kai Tak, Fabrica de Vestuario
20. Kai Vai Hung
21. Kin Cheong, Fabrica de Artigos de Vestuario
22. King Cheong, Fabrica de Vestuario
23. Knitsway, Fabrica de Artigos de Vestuario
24. Kong Lei
25. Kuck Chon
26. Kun Cheong

27. Lai Kong, Fabrica de Artigos de Vestuario
28. Leon Garment Factory Limited
29. Ling Chu, Fabrica de Artigos de Vestuario
30. Luen Tai
31. Macau Ltd., Fabrica de Artigos de Vestuario
32. Man Heng
33. Man Ka
34. Manway Lda., Fabrica de Artigos de Vestuario
35. Mao Cheong Limited, Fabrica de Artigos de Vestuario
36. Mei I, Fabrica de Artigos de Vestuario
37. Ming Tak
38. Nam Pan Garment Factory
39. Nation Garment
40. Ngan Wu
41. Ou Ion
42. Pak Seak
43. Perfect Garments
44. Po Che
45. Richness, Fabrica de Artigos de Vestuario
46. Sai Land Garment Factory
47. Sam Yu Garment Factory
48. San Fu Lai, Fabrica de Artigos de Vestuario
49. San Hoi Seng
50. Seng Wai, Fabrica de Malhas
51. Seng Yee
52. Shan Lee, Fabrica de Artigos de Vestuario
53. Shing Un, Fabrica de Artigos de Vestuario
54. Sing Wai, Fabrica de Artigos de Vestuario
55. Strong Billion
56. Sufficient
57. Tai Ku, Fabrica de E. Artigos de Vestuario
58. Tak Mei
59. Tak Weng Heng
60. Tim Pou, Fabrica de Artigos de Vestuario
61. Tin Sin Overseas
62. Tong Heng, Fabrica de Vestuario
63. Tong Hoi Garment Factory
64. Tong Lee, Fabrica de Artigos de Vestuario
65. Uni-Leader, Fabrica de Vestuario
66. Va Tai, Fabrica de Vestuario
67. Vang Tak, Fabrica de Vestuario
68. Veng Fat Tak
69. Veng Kuong Meng
70. Vo Wong
71. Wai Dai Meng
72. Wai Lung Garment Factory
73. Wai Wa
74. Weng Iat, Fabrica de Artigos de Vestuario
75. Weng Wa Garment Factory Limited
76. Winton Garment Factory
77. World Wide Knitting Factory

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 99-19611 Filed 7-29-99; 8:45 am]

BILLING CODE 3510-DR-F

COMMODITY FUTURES TRADING COMMISSION

New York Mercantile Exchange, Comex Division, Amendment To Petition for Exemption From the Dual Trading Prohibition in Affected Contract Markets

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of amendment and update to a petition for exemption from the prohibition on dual trading in an affected contract market.

SUMMARY: The New York Mercantile Exchange ("NYMEX" or "Exchange"), Comex Division ("Comex"), has submitted to the Commodity Futures Trading Commission ("Commission") an additional update to the Commodity Exchange, Inc., October 21, 1993 petition for exemption from the prohibition against dual trading in two contract markets. The additional amendment requests an exemption for a new affected contract market. Copies of the entire file, including any future submissions, will be available to the public upon request, except to the extent the Exchange has requested confidential treatment.

ADDRESSES: Copies of the file are available from the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581. Reference should be made to the Comex dual trading exemption petition file.

FOR FURTHER INFORMATION CONTACT: Duane C. Andresen, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581; telephone: (202) 418-5490.

SUPPLEMENTARY INFORMATION: Pursuant to sections 4j(a)(1) and (3) of the Commodity Exchange Act ("Act") and Commission Regulation 155.5 thereunder, a board of trade may submit a petition to the Commission to exempt any of its affected contract markets (markets with an average daily trading volume equal to or in excess of 8,000 contracts for four consecutive quarters) from the prohibition against dual trading. Regulation 155.5(d)(6) authorizes the Director of the Division of Trading and Markets to publish notice of each exemption petition deemed complete under Regulation 155.5(d) and to make the petition available to the public as required by section 4j(a)(5) of the Act.

Comex originally submitted a petition for dual trading exemptions for its gold,