

## 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 12, 2008.

**AGENCY:** The Committee for the Implementation of Textile Agreements.

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

**EFFECTIVE DATE:** November 18, 2008.

**SUMMARY:** The Committee for the Implementation of Textile Agreements (CITA) has determined that certain 100% polyester pin dot dobby fabric, as specified below, is 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:** Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

**FOR FURTHER INFORMATION ONLINE:** <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf>. Reference number: 95.2008.10.09.Fabric.SharrettsPaley forFishman&Tobin.

#### 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 CAFTA-DR 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 September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list (73 FR 53200) ("procedures").

On October 9, 2008, the Chairman of CITA received a request for a commercial availability determination ("Request") under the CAFTA-DR from Sharretts, Paley, Carter & Blauvelt, P.C., on behalf of Fishman & Tobin, for certain 100% polyester pin dot dobby fabrics. On October 10, 2008, in accordance with CITA's procedures, CITA notified interested parties of the Request and posted the Request on the dedicated website for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply ("Response") must be submitted by October 24, 2008, and any Rebuttal be submitted by October 30, 2008. No interested entity submitted a Response advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA-DR Act, and CITA's procedures, as no interested entity submitted a Response objecting to the Request and demonstrating its ability to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA-DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated website for CAFTA-DR Commercial Availability proceedings.

#### Specifications: Certain Polyester Pin Dot Dobby Fabric

HTS: 5515.12.00; 5407.93.20

Fiber Content: 100% Polyester

#### Warp Yarn:

English: 30/2 or 30/1 to 50/2 or 50/1 spun polyester staple fibers combined with polyester filament of 100-300 denier.

Metric: 51/2 or 51/1 to 85/2 or 85/1 spun polyester staple fibers combined with polyester filament of 90 to 30 decitex.

#### Fill Yarn:

English: 30/2 or 30/1 to 50/2 or 50/1 spun polyester staple fibers combined with polyester filament of 100-300 denier.

Metric: 51/2 or 51/1 to 85/2 or 85/1 spun polyester staple fibers combined with polyester filament of 90 to 30 decitex.

#### Construction:

English: 180-210 warp ends x 85-95 filling picks per inch.

Metric: 70-82 warp ends x 33-37 filling picks per centimeter.

Weave: Various.

#### Weight:

English: 6.2 to 7.5 oz/sq. yd.

Metric: 210 to 255 g/sq. m.

#### Width:

English: 56 to 64 inches.

Metric: 142 to 163 centimeters.

Finish: Containing at least 2 different color yarns, each of which is dyed a different color, with either cationic or disperse dyes or any combinations of both.

**Janet E. Heinzen,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. E8-27341 Filed 11-18-08; 8:45 am]

**BILLING CODE 3510-DS**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

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November 12, 2008.

**AGENCY:** The Committee for the Implementation of Textile Agreements.

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

**EFFECTIVE DATE:** November 18, 2008.

**SUMMARY:** The Committee for the Implementation of Textile Agreements (CITA) has determined that certain 100% polyester stripe fabric, as specified below, is 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:

Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

**FOR FURTHER INFORMATION ONLINE:** <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf>. Reference number: 94.2008.10.09.Fabric.SharrettsPaley forFishman&Tobin.

#### 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 CAFTA-DR 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 September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list (73 FR 53200) ("procedures").

On October 9, 2008, the Chairman of CITA received a request for a commercial availability determination ("Request") under the CAFTA-DR from Sharretts, Paley, Carter & Blauvelt, P.C., on behalf of Fishman & Tobin, for certain 100% polyester stripe fabrics. On October 10, 2008, in accordance with CITA's procedures, CITA notified interested parties of the Request and posted the Request on the dedicated website for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply ("Response") must be submitted by October 24, 2008, and any Rebuttal be submitted by October 30, 2008. No interested entity submitted a Response advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA-DR Act, and CITA's procedures, as no interested entity submitted a Response objecting to the Request and demonstrating its ability to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA-DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA-

DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated website for CAFTA-DR Commercial Availability proceedings.

**Specifications: Certain Polyester Stripe Fabric**

HTS: 5512.19.00; 5515.12.00

Fiber Content: 100% Polyester

**Warp Yarn:**

English: 30/2 or 30/1 to 50/2 or 50/1 spun polyester staple fibers combined with polyester filament of 100-300 denier.

Metric: 51/2 or 51/1 to 85/2 or 85/1 spun polyester staple fibers combined with polyester filament of 90 to 30 decitex.

**Fill Yarn:**

English: 30/1 to 50/1 spun polyester staple fibers.

Metric: 51/1 to 85/1 spun polyester staple fibers.

**Construction:**

English: 90-105 warp ends x 95-115 filling picks per inch.

Metric: 35-41 warp ends x 37-45 filling picks per centimeter.

Weave: Various.

**Weight:**

English: 6.2 to 7.5 oz/sq. yd.

Metric: 210 to 255 g/sq. m.

**Width:**

English: 56 to 64 inches.

Metric: 142 to 163 centimeters.

Finish: Containing at least 2 different color yarns, each of which is dyed a different color, with either cationic or disperse dyes or any combinations of both.

**Janet E. Heinzen,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. E8-27342 Filed 11-17-08; 8:45 am]

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**COMMODITY FUTURES TRADING COMMISSION**
**Agency Information Collection Activities: Notice of Intent To Renew Collection 3038-0052, Establishing Procedures for Designated Contract Markets and Applicants Seeking Designation, Comment Request**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and the expected costs and burden; it includes the actual data collection instruments [if any].

**DATES:** Comments must be submitted on or before December 18, 2008.

**FOR FURTHER INFORMATION OR A COPY, CONTACT:** Riva Spear Adriance, Division Of Market Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, (202) 418-5494; Fax: (202) 418-5527; e-mail: [radriance@cftc.gov](mailto:radriance@cftc.gov) and refer to OMB Control No. 3038-0052.

**SUPPLEMENTARY INFORMATION:**

**Title:** Part 38—Designated Contract Markets, OMB Control No. 3038-0052. This is a request for extension of a currently approved information collection.

**Abstract:** Designated contract markets are fully regulated commodity futures and options exchanges. Such markets, prior to registration and on an ongoing basis, must demonstrate compliance with the criteria for designation (set forth in Section 5(b) of the Commodity Exchange Act, 7 U.S.C. 7(b)), the core principles for operation (set forth in Section 5(d) of the Act, 7 U.S.C. 7(d)), and the provisions of Part 38 of the Commission's regulations, 17 CFR Part 38. Part 38 of the Commission's regulations governs the activities of designated contract markets. The information collected thereunder is necessary for the Commission to evaluate whether entities operating as, or applying to become, designated contract markets are in compliance with the designation criteria and the core principles delineated in the Act and the Commission's regulations adopted thereunder. Appendix A to Part 38 provides guidance to applicants on how the specific conditions for initial designation may be met by an applicant. Appendix B to Part 38 provides guidance to applicants on how designated contract markets can remain in compliance with the core principles.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the Commission's regulations were initially published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published on September 12, 2008 (73 FR 52959). No comments were received in response to this publication.

The Commission estimates the burden of this collection of information as follows: