Arrangement regarding international trade in textiles

Notification under Article 4:4

Amendment of the bilateral agreement between
the United States and Romania

Attached is a notification received from the United States of an amendment of its wool and man-made fibre agreement with Romania. Designated consultation levels for categories 442 and 448 were converted into specific limits with effect from 1 January 1992.¹

¹The wool and man-made fibre agreement, amendments and extension are contained in COM.TEX/SB/1053, 1109, 1327, 1451, 1516, 1517 and 1639.

*English only/Anglais seulement/Inglés solamente
June 9, 1992

The Honorable
Ambassador Marcelo Raffaelli
Chairman, Textiles Surveillance Body
General Agreement on Tariffs and Trade
Rue de Lausanne 154
1211 Geneva

Dear Ambassador Raffaelli:

Pursuant to the provisions of paragraph 4 of Article 4 of the Arrangement Regarding International Trade in Textiles, I am instructed by my Government to inform the Textiles Surveillance Body of the conversion of two Designated Consultation Levels (DCL's) to specific limits and, thereby, the amendment of the bilateral Wool and Man-made Fiber Agreement between the Government of the United States of America and the Government of Romania.

Copies of the notes effecting this amendment are enclosed. Additional data to facilitate preparation of a fact sheet will be provided separately.

Sincerely,

Robert E. Shepherd
Minister Counsellor

Enclosure
No. 051

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Trade and Tourism and has the honor to refer to The Arrangement regarding international trade in textiles, with annexes, done at Geneva on December 20, 1973, as extended (The Arrangement). The Embassy has the further honor to refer to the agreement between Romania and the United States of America relating to trade in wool and man-made fiber textiles and textile products, as amended and extended by exchange of notes dated May 7, 1991 and August 15, 1991 (The Wool and Man-Made Fiber Agreement).

The Embassy also refers to the December 11, 1991 request of the Government of Romania concerning a proposed increase of 1,600 dozen in the 1992 designated consultation level for category 442 and an increase of 1,700 dozen in the 1992 designated consultation level for category 448. The Embassy also refers to the Government of Romania's request for an increase in the 1992 specific limits for category 435 of 830 dozen and for category 444 of 4,950 numbers.
After careful review of the above mentioned requests, the Embassy has the honor, on behalf of the Government of the United States of America, to propose that the designated consultation levels for categories 442 and 448 be converted to specific limits beginning in the 1992 agreement period and for the remainder of The Wool and Man-Made Fiber Agreement. These specific limits will be included in Annex B and subject to the Group III limit as follows:

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>UNIT</th>
<th>1992</th>
<th>1993</th>
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<tbody>
<tr>
<td>442</td>
<td>doz</td>
<td>9,626</td>
<td>9,722</td>
</tr>
<tr>
<td>448</td>
<td>doz</td>
<td>8,200</td>
<td>8,282</td>
</tr>
</tbody>
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The above limits will be entitled to all appropriate growth and flexibility provisions as contained in The Wool and Man-Made Fiber Agreement including intercategory flexibility (swing) of five percent and annual growth of one percent.

The Embassy regrets to inform the Government of Romania that it will not be possible to accommodate the above mentioned request for an increase in the 1992 specific limits for category 435 and category 444. However, the Embassy wishes to clarify that in accordance with paragraph 5(A) of The Wool and Man-Made Fiber Agreement, all specific limits may be exceeded by intercategory flexibility (swing), with the exception of those for categories 433/434, 443, 643/644 (not knit) and 645/646. Only the specific limits for categories 433/434, 443, 643/644 (not knit) and 645/646 have built-in swing, as
specified in paragraph 5(B) of The Wool and Man-Made Fiber Agreement, and are not entitled to further intercategory flexibility (swing).

In addition, as a result of the implementation of the harmonized system, 100 percent swing was made available between the limits for categories 435 and 444. The Government of the United States of America understands this provision to be in addition to the normal five percent swing which may be applied to categories 435 and 444 from other categories in Annex B of The Wool and Man-Made Fiber Agreement. The Government of the United States of America would be pleased to apply such swing to these categories, as available, upon the written request of the Government of Romania.

If the foregoing is acceptable to your government, then this note and a note of confirmation on behalf of the Government of Romania shall constitute an agreement between our two governments.

The Embassy of the United States of America further avails itself of this opportunity to renew to the Ministry of Foreign Trade and Tourism of Romania the assurances of its highest consideration.

Embassy of the United States of America
The Ministry of Commerce and Tourism of Romania presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy of the United States of America's note of February 26, 1992, which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Trade and Tourism and has the honour to refer to the Arrangement regarding international trade in textiles, with annexes, done at Geneva on December 20, 1973, as extended (The Arrangement). The Embassy has the further honor to refer to the agreement between Romania and the United States of America relating to trade in wool and man-made fiber textiles and textile products, as amended and extended by exchange of notes dated May 7, 1991 and August 15, 1991 (The Wool and Man-Made Fiber Agreement).

The Embassy also refers to the December 11, 1991 request of the Government of Romania concerning a proposed increase of 1,600 dozen in the 1992 designated consultation level for category 442 and an increase of 1,700 dozen in the 1992 designated consultation level for category 448. The Embassy also refers to the Government of Romania's request for an increase in the 1992 specific limits for category 435 of 830 dozen and for category 444 of 4,950 numbers.

After careful review of the above mentioned requests, the Embassy has the honor, on behalf of the Government of the United States of America, to propose that the designated consultation levels for categories 442 and 448 be converted to specific limits beginning in the 1992 agreement period and for the remainder of The Wool and Man-Made Fiber Agreement. These specific limits will be included in Annex B and subject to the Group III limit as follows:
The above limits will be entitled to all appropriate growth and flexibility provisions as contained in The Wool and Man-Made Fiber Agreement including intercategory flexibility (swing) of five percent and annual growth of one percent.

The Embassy regrets to inform the Government of Romania that it will not be possible to accommodate the above mentioned request for an increase in the 1992 specific limits for category 435 and category 444. However, the Embassy wishes to clarify that in accordance with paragraph 5(A) of The Wool and Man-Made Fiber Agreement, all specific limits may be exceeded by intercategory flexibility (swing), with the exception of those for categories 433/434, 443, 643/644 (not knit) and 645/646. Only the specific limits for categories 433/434, 443, 643/644 (not knit) and 645/646 have built-in swing, as specified in paragraph 5(B) of The Wool and Man-Made Fiber Agreement, and are not entitled to further intercategory flexibility (swing).

In addition, as a result of the implementation of the harmonized system, 100 percent swing was made available between the limits for categories 435 and 444. The Government of the United States of America understands this provision to be in addition to the normal five percent swing which may be applied to categories 435 and 444 from other categories in Annex B of The Wool and Man-Made Fiber Agreement. The Government of the United States of America would be pleased to apply such swing to these categories, as available, upon the written request of the Government of Romania.

If the foregoing is acceptable to your government, then this note and a note of confirmation on behalf of the Government of Romania shall constitute an agreement between our two governments. The Embassy of the United States of America further avails itself of this opportunity to renew to the Ministry of Foreign Trade and Tourism of Romania the assurances of its highest consideration. "

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The Ministry of Commerce and Tourism has the honour to confirm on behalf of the Government of Romania that the proposal contained in the above note of the Embassy of the United States of America together with this note shall constitute an Agreement between the Government of Romania and the Government of the United States of America.

The Ministry of Commerce and Tourism of Romania avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Bucharest, March 13, 1992