

GENERAL AGREEMENT ON

CONFIDENTIAL

TEX.SB/2004*

2 April 1993

TARIFFS AND TRADE

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4

Extension and modification of the bilateral agreement between Canada and Brazil

Note by the Chairman

Attached is a notification received from Canada of an extension and modification of its agreement with Brazil for the period 1 January 1993 to 31 December 1993, with provision for a possible twelve-month extension.¹

¹ The bilateral agreement and a previous extension are contained in COM.TEX/SB/1574 and 1729.

* English only/Anglais seulement/Inglés solamente

The Permanent Mission of Canada
to the United Nations



La Mission Permanente du Canada
à l'ONU

REC 25 MAR 1993

24 March, 1993

37-10-3-3-LATAM

15/17

Ambassador Marcelo Raffaelli
Chairman
Textiles Surveillance Body
General Agreement on Tariffs and Trade
154 rue de Lausanne
1211 Genève
SUISSE

Dear Ambassador Raffaelli:

Pursuant to Article 4 of the Arrangement Regarding International Trade in Textiles (MFA), done at Geneva, December 20, 1973, and to its 1986, 1991 and 1992 Protocols of Extension and Maintenance in Force, I have the honour to provide documentation with respect to the extension and modification of the Memorandum of Understanding (MOU) between the Governments of Canada and Brazil concerning the export of certain textile products from Brazil to Canada. The relevant Agreed Record of Discussions and the Canadian Government's "Notice to Importers, Serial No. 444" are attached.

The term of validity of the MOU has been extended through the end of this year and, via the enclosed Agreed Record of Discussions, the restraint categories for the MOU have been modified to the new HS based categorization system which is now characteristic of all of Canada's bilateral textiles and clothing agreements.

In addition, as per the enclosed "Notice to Importers", a new category (# 8.2, T-shirts) has been added to the coverage of the MOU, with growth and flexibility provisions as specified in the "Notice". The addition of the restraint on this product category was agreed, during bilateral consultations which took place in Brasilia on 21-22 January 1993, subsequent to Canada's MFA Article 3 request dating from early November 1992. We are still awaiting receipt of copies of the actual documents via which the agreement to add this restraint was formally recorded and will forward these to you as soon as they arrive.

Meanwhile, I will be providing to Mrs. Jenkins some additional background material concerning the addition of the T-shirt restraint, to assist in the preparation of the informal "fact sheet".

Yours sincerely,



John F. Donaghy,
Counsellor

Canada-Brazil Textile and Clothing NegotiationsAgreed Record of Discussions

1. Delegations representing the Government of Canada and of the Government of the Federative Republic of Brazil met on December 16-17, 1992 in Ottawa to discuss the extension of the Memorandum of Understanding between the Government of Canada and the Government of the Federative Republic of Brazil relating to the export from Brazil of certain textiles and textile products for import into Canada ("the MOU"), and the conversion of the restraint structure in the MOU to one based on the Harmonized System of Commodity Description and Coding System ("the HS").
- 2 a. The two delegations agreed that the MOU should be extended for a one year period, until December 31, 1993. They agreed that, effective January 1, 1993, Annexes I and II attached shall replace Annexes I and II of the MOU.
- b. Should the Uruguay Round transition arrangement for integration of the textile sector into the GATT not come into force on or before December 31, 1993, this Agreement will be extended for a second year commencing on January 1, 1994. However, any such extension of this bilateral agreement shall be brought into conformity with any successor to the current protocol of extension to the Multi-Fibre Arrangement.

For the Government of
Canada

John McNeil
Ottawa
December 17, 1992

For the Government of the
Federative Republic of Brazil

José M. Viegas

ANNEX I - RESTRAINT LEVELSBRAZILGROUP II

(A) Agreement Item No.	(B) Product Coverage		(C) 1993 Restraint Level(unit)	(D)	(E)	(F) Carry-over/ Carry Forward	(G) Combined Flexibility (E) & (F)	(H) Conversion Factor
	Category	Short Description		Growth	Swing			
41a	41.1	Bed sheets (NMB)	1,900,534	7%	5%	10%(5%)	12%	0.5 Kgm/unit
41b	41.2	Pillow cases (NMB)	1,900,534	7%	5%	10%(5%)	12%	0.2 Kgm/unit
42a	42.1	Toilet & kitchen linen, cotton terry, woven (KGM)	1,310,118	6%	5%	10%(5%)	12%	2.8 m ² /unit
42b	42.1	- of which, Toilet & kitchen linen, cotton terry, woven, excluding terry towels of more than 30 inches by 60 inches (76 cm by 150 cm) in size	889,587	7%	5%	10%(5%)	12%	2.8m ² /unit

Dom

ANNEX II- PREAMBLEBRAZIL

1. A partially manufactured textile article shall be taken to include an article unfinished or incomplete (including cut or shaped fabric for making such articles), provided that, as presented, the incomplete or unfinished article has the essential character of the complete or finished article. It shall also be taken to include the article presented unassembled or disassembled.
2. Unless otherwise indicated, products covered by restraints under this arrangement in Group II are those which predominate by weight of wool, cotton, or man-made fibres.

TAM

ANNEX II- TEXTILE CATEGORIES

BRAZIL

GROUP II

Short Description	Sub Category	Category	Long Description	Units
Bed sheets & pillow cases	41		Bed sheets and pillow cases, of cotton or man-made fibres: - Bed sheets. - Pillow cases.	NMB
- Toilet & kitchen linen, cotton terry, woven		42.1	Toilet linen and kitchen linen, woven, of terry towelling, of cotton.	KGM

Notice to Importers

Serial No.: 444

Date: February 15, 1993

TEXTILES AND CLOTHING

RESTRAINTS ON IMPORTS OF T-SHIRTS ORIGINATING IN THE FEDERATIVE REPUBLIC OF BRAZIL

Coverage

1. This notice applies to imports of T-shirts (HS commodity codes 6109.10 to 6109.90), originating in the Federative Republic of Brazil. This Notice supersedes Notice to Importers No. 439 of November 3, 1992.

Authority

2. Under the authority of Paragraph 5(1)(e) of the Export and Import Permits Act, the items indicated above have been established on the Import Control List. Import permits are required to import goods that are included on the Import Control List. Pursuant to Sections 9 and 10 of the Export and Import Permits Act, the Secretary of State for External Affairs may issue, amend, suspend, cancel or reinstate import permits.

Consultations

3. As a result of the conclusion of consultations held in Brasilia on January 22, 1993 between representatives of Canada and the Federative Republic of Brazil, importers are advised that effective January 1, 1993 to December 31, 1993 shipments to Canada from Brazil of T-shirts, as described in Annex II of this Notice, are subject to restraint at the

Canada

Avis aux importateurs

No. de série: 444

Date: le 15 février 1993

TEXTILES ET VÊTEMENTS

RESTRICTIONS À L'IMPORTATION DES T-SHIRTS EN PROVENANCE DE LA RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL

Champ d'application

1. Le présent avis s'applique aux importations de T-shirts (codes de produit du Système harmonisé 6109.10 à 6109.90), en provenance de la République fédérative du Brésil. Cet avis remplace l'Avis No. 439 du 3 novembre 1992.

Fondements juridiques

2. En vertu de l'alinéa 5(1)(e) de la Loi sur les licences d'exportation et d'importation (LLEI), les produits textiles susmentionnés ont été inscrits sur la Liste des marchandises d'importation contrôlée (LMIC). Une licence d'importation est requise pour importer les marchandises inscrites à la LMIC. Conformément aux dispositions des articles 8 et 10 de la LLEI, la Secrétaire d'État aux Affaires extérieures peut délivrer, modifier, suspendre, annuler ou rétablir toute licence d'importation.

Consultations

3. Suite aux consultations qui ont eu lieu à Brasilia le 22 janvier 1993 entre des représentants des gouvernements du Canada et du Brésil, les exportations vers le Canada de T-shirts en provenance du Brésil tel que décrits à l'Annexe II de cet Avis seront restreintes au niveau spécifié à l'Annexe I, à partir du 1er janvier 1993 jusqu'au 31

- 2 -

level indicated in Annex I. Baby T-shirts (0 to 24 months, Category 14.4) are not included in the restraint level.

Administration

4. All applications for imports of T-shirts from the Federative Republic of Brazil must be accompanied by a valid export licence issued and endorsed by the appropriate Brazilian authorities. This product is identified as Agreement Item No. 8a in Annex I of the Memorandum of Understanding (MOU) between the Government of Canada and the Government of the Federative Republic of Brazil.

Permit Fees

5. A fee will be levied for each permit or certificate issued in accordance with the Export and Import Permits and Certificate Fees order (Notice to Importers No. 379 dated August 2, 1989).

Director
Import Control Division I
(Textiles and Clothing)
Export and Import Permits Bureau
External Affairs and International Trade
Canada
P.O. Box 481, Station "A"
Ottawa, Ontario
K1N 9K6

Telephone: (613) 996-3711
Telex: 053-3745
Telecopy: (613) 995-5137

décembre 1993. Cette restriction ne s'applique pas aux T-shirts pour bébés (0 - 24 mois, Catégorie 14.4).

Administration

4. Toute demande de licence d'importation pour des T-shirts en provenance du Brésil doit être accompagnée d'une licence d'exportation émise par les autorités Brésiliennes compétentes. Ce produit est identifié comme étant le Numéro 8a de l'Annexe I de l'Accord bilatéral entre le Canada et la République fédérative du Brésil.

Droits

5. Des droits seront exigés pour chaque licence ou certificat émis en vertu du Décret concernant les droits relatifs aux licences et aux certificats d'exportation et d'importation (Avis aux importateurs no 379 du 2 août 1989.)

Le Directeur
Direction du contrôle des importations I
(Textiles et vêtements)
Direction générale des licences d'exportation et d'importation
Affaires extérieures et Commerce extérieur
Canada
C.P. 481, Succursale "A"
Ottawa (Ontario)
K1N 9K6

Téléphone: (613) 996-3711
Telex: 053-3745
Télécopie: (613) 995-5137

ANNEX I - RESTRAINT LEVELSBRAZILGROUP I

(A) Agreement Item No.	(B) <u>Product Coverage</u>		(C) 1993 Restrain t Level(NMB)	(D) Growth	(E) Swing	(F) Carry-over/ Carry Forward	(G) Combined Flexibility (E) & (F)	(H) Conversion Factor
8a	Category	Short Description						
8a	8.2	T-shirts	4,450,000	6%	n/a	11%(6%)	n/a	n/a

ANNEXE I - NIVEAU DE RESTRICTIONSBRÉSILGROUPE I

Numéro de l'Accord	(B) <u>Produits</u>		(C) 1993 Niveau de Restriction	(D) Crois- sance	(E) Trans- fert	(F) Report Antici- pation	(G) Souplesse Combinée (E) & (F)	(H) Facteur de Conversion
8a	Catégorie	Description Courte						
8a	8.2	T-shirts	4,450,000	6%	n/a	11%(6%)	n/a	n/a

ANNEX II- APPAREL CATEGORIESBRAZILGROUP I

Short Description	Category	Sub - Category	Long Description	Units
- T-shirts		8.2	- T-shirts (other than of the underwear type)- <u>MBWGC</u> , k/c.	NMB

ANNEXE II- LES CATÉGORIES POUR LES VÊTEMENTSBRÉSILGROUPE I

Description Courte	Catégorie	Sous - Catégorie	Description Longue	Unités
- T-shirts		8.2	- T-shirts (autre que le genre sous-vêtements)- HCDFE, l/c.	NBR