

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/808  
16 December 1982

Special Distribution

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Textiles Surveillance Body

Original: English

## ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

### Notification under Articles 7 and 8

#### Bilateral Agreement between the United States and Haiti

The Textiles Surveillance Body has received a notification from the United States of a new bilateral agreement with Haiti, a non participant in the MFA as extended by the 1981 Protocol. The new agreement, which is valid from 1 March 1982 to 29 February 1984, curtails and replaces the last two months of the previous agreement concluded under Article 4.<sup>1/</sup>

The TSB is transmitting this notification to participants for their information, bearing in mind the Textile Committee's request that actions taken vis-à-vis non-participants should be notified.

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<sup>1/</sup> The previous agreement, and subsequent amendments, are contained in COM.TEX/SB/497, 570 and 685.

UNITED STATES NOTE

Port-au-Prince, March 25, 1982

His Excellency  
Jean-Robert Estime  
Secretary of State for Foreign Affairs  
Port-au-Prince

Excellency:

I have the honor to refer to the Arrangement Regarding International Trade in Textiles, with annexes, done at Geneva on December 20, 1973, and extended by the protocols adopted respectively on December 14, 1977 and December 22, 1981 at Geneva (hereinafter referred to as The Arrangement). I have also the honor to refer to discussions between representatives of the Government of the United States of America and the Government of the Republic of Haiti held in Washington, D.C. March 4 and 5, 1982, concerning exports of cotton, wool and man-made fiber textiles and textile products from Haiti to the United States of America. As a result of those discussions and in conformity with articles 4 and 6 of The Arrangement, I have the honor to propose the following agreement relating to trade in cotton, wool and man-made fiber textiles and textile products between the Government of the United States of America and the Government of the Republic of Haiti.

1. The term of this agreement shall be the two-year period from March 1, 1982 through February 29, 1984. The first agreement period commences on March 1, 1982 and ends on February 28, 1983. The second agreement period shall commence on March 1, 1983 and end on February 29, 1984.

2. (A) The coverage of this agreement shall be all textiles and textile products of cotton, wool and man-made fibers.

(B) The determination of whether a textile or textile product is of cotton, wool or man-made fiber shall be made in accordance with the terms of Paragraph 12.

3. (A) The system of categories and the rates of conversion into square yards equivalent listed in Annex A shall apply in implementing this agreement.

(B) For purposes of this agreement, and in recognition of the patterns of trade of the Republic of Haiti with the United States of America, the categories below are merged and treated as single categories as indicated, with limits as set in Annex B and Annex C:

<u>Categories Merged</u>	<u>Designation in Agreement</u>
347,348	347/348
349,649	349/649

4. Commencing with the first agreement period and during the subsequent term of this agreement, the Republic of Haiti shall limit annual exports from Haiti to the United States of America of cotton, wool and man-made fiber textiles and textile products to the limits set out in Annex B and Annex C, as such limits may be adjusted in accordance with this paragraph and Paragraphs 5 and 6. The specific limits shall be increased in the second agreement period by seven percent annually, as shown in Annex B.

5. Any specific limit may be exceeded in any agreement year by not more than seven percent of its square yards equivalent total provided that the amount of the increase is compensated for by an equivalent decrease in one or more specific limits. When requesting use of the provisions of this paragraph, the Government of Haiti will indicate the category or categories to be increased and the category or categories to be decreased by commensurate quantities.

6. (A) In any agreement period, in addition to any adjustments pursuant to Paragraph 5 exports may exceed, by a maximum of 11 percent, any specific limit by allocating to such limit for

that agreement period an unused portion of the corresponding limit for the previous agreement period ("carryover"), or a portion of the corresponding limit for the succeeding agreement period ("carryforward") subject to the following conditions:

(B) Carryover may be utilized as available up to 11 percent of the receiving agreement period's applicable limit. No carryover shall be available for application during the first agreement period.

(C) Carryover of shortfall (as defined in Sub-paragraph 6 (D)) shall not be applied to any specific limits until the Republic of Haiti and the United States of America have agreed upon the amounts involved.

(D) For purposes of this agreement, a shortfall occurs when exports of textile or textile products from Haiti to the United States of America during an agreement period are below the specific limit. In the agreement period following the shortfall, such exports from Haiti to the United States of America may be permitted to exceed the specific limit, subject to condition of Sub-paragraph 6 (A) by carryover of shortfalls in the following manner:

--Carryover in any limit shall not exceed the amount of shortfall in the specific limit.

--In the case of shortfall in a category subject to a specific limit the shortfall shall be used in the category in which the shortfall occurred.

--The specific limit in which the shortfall occurred shall be decreased by the amount used to exceed the following period's limit.

(E) The limits referred to in Sub-paragraphs (A) and (B) of this paragraph are without any adjustments under this paragraph or Paragraphs 5 and 17.

(F) Carryforward may be utilized up to six percent of the receiving agreement period's applicable limits.

(G) Carryforward used shall be charged against the immediately following agreement period's corresponding limits. No carryforward shall be available for application in the final agreement period.

(H) The combination of carryover and carryforward may not exceed 11 percent of the receiving period's applicable limits in any agreement period.

(I) The Government of the United States may apply adjustments under this paragraph to any specific limit whenever that adjustment appears appropriate to facilitate the flow of trade and the sound administration of The Agreement. To the extent that such adjustments are actually utilized, they will be implemented by means of carryover and carryforward in that order. Any unused carryforward will be re-credited to the following period's limit. This procedure will not prejudice the outcome of any consultations that may be held between our governments concerning the amounts of available carryover and carryforward.

7. The categories listed in Annex C are subject to designated consultation levels as specified therein. In the event the Government of the Republic of Haiti wishes to permit exports in any category in excess of the applicable consultation level, the Government of the Republic of Haiti shall request the higher levels and the Government of the United States shall consider the request

sympathetically and shall respond promptly. If, because of problems of market disruption as defined in Annex A of The Arrangement Regarding International Trade in Textiles in the United States of America in a category subject to such request, the United States is unable to comply fully, the United States of America will so inform the Government of the Republic of Haiti and will supply data which form the basis of the position taken by the United States of America. If requested by the Government of the Republic of Haiti, the Government of the United States of America will consult promptly. Until a mutually satisfactory change in the consultation level is established, the Government of the Republic of Haiti will not authorize exports in excess of the existing consultation level.

8. For categories not subject to a specific limit or a designated consultation level each party reserves its rights to take action in accordance with The Arrangement.

9. In accordance with Article 12, Paragraph 3, of The Arrangement and subject to the establishment of a mutually agreed upon certification system, Haitian exports of hand-loom fabrics of the cottage industry, or hand-made cottage industry products made of such hand-loom fabrics, or traditional folklore handicraft textile products will not be subject to the provisions of this agreement.

10. The Government of the Republic of Haiti shall use its best efforts to space exports from Haiti to the United States within each category evenly throughout the agreement period, taking into consideration normal seasonal factors.

11. The Government of the United States of America shall promptly supply the Government of the Republic of Haiti with data on monthly imports of cotton, wool and man-made textiles and textile products into the United States of America from Haiti. The Government of the Republic of Haiti shall promptly supply the Government of the United States of America with data on monthly exports of cotton, wool and man-made textiles and textile products from Haiti to the United States of America. Each government agrees to supply promptly any other available statistical data necessary to the implementation of this agreement requested by the other government.

12. (A) Tops, yarns, piece goods, made-up articles, garments and other textile manufactured products, all being products which derive their chief characteristics from their textile components of cotton, wool or man-made fibers, or blends thereof, in which any or all of those fibers represents either the chief value of the fiber, or 50 percent or more by weight of the products (or 17 percent or more by weight of wool) are subject to this agreement.

(B) For the purposes of this agreement, textile products shall be classified as cotton, wool, or man-made fiber textiles if wholly or in chief value of any of these fibers. Any products covered by Sub-paragraph 12 (A) but not in chief value of cotton fiber shall be classified as:

(I) Cotton textiles if containing 50 percent or more by weight of cotton, or if the cotton component exceeds by weight the wool and/or the man-made fiber component;

(II) Wool textiles, if not cotton, and the wool equals or exceeds 17 percent by weight of all component fibers; and

(III) Man-made fiber textiles if neither of the foregoing applies.

13. The Government of the United States of America and the Government of the Republic of Haiti agree to consult upon the request of the other on any question arising in the implementation of this agreement.

14. The Republic of Haiti shall administer its export control system under this agreement. The Government of the United States of America may assist the Republic of Haiti in implementing the provisions of this agreement by controlling imports of textiles and textile products covered by this agreement.

15. In conformity with Article 8 of The Arrangement, the Republic of Haiti and the United States of America shall cooperate to avoid circumvention of The Agreement.

16. Mutually satisfactory administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of this agreement, including difference in points of procedure or operation.

17. (A) Exports from Haiti in excess of authorized limits in any agreement period may be denied entry into the United States. Any such shipments denied entry may be permitted entry into the United States and charged to the applicable limit in the succeeding agreement period.



(B) Exports from Haiti in excess of authorized limits in any agreement year will, if allowed entry into the United States during that agreement period be charged to the applicable limit in the succeeding agreement period.

18. The visa system, effective on March 3, 1980, between the Government of the United States of America and the Republic of Haiti will remain in force subject to Paragraph 16.

19. If the Republic of Haiti considers that as a result of limitations specified in this agreement, it is being placed in an inequitable position in relation to a third country, the Republic of Haiti may request consultations with the United States of America with a view to taking appropriate remedial actions such as reasonable modifications of this agreement.

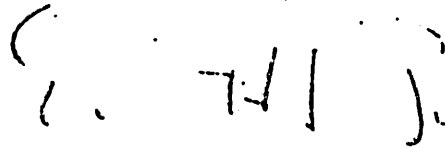
20. The Government of the United States and the Government of the Republic of Haiti agree to consult upon the request of the other on any question arising in the implementation of this agreement.

21. The Government of the United States of America and the Government of the Republic of Haiti may, at any time, propose revisions in the terms of this agreement. Each agrees to consult promptly with the other about such proposals with a view to making such revisions to this agreement or taking such other appropriate action as may be mutually agreed upon.

22. Either government may terminate this agreement, effective at the end of any agreement period, by written notice to the other, to be given at least 90 days prior to the end of such agreement period.

If the foregoing conforms with the understanding of the Government of the Republic of Haiti, this Note and Your Excellency's Note of confirmation on behalf of the Government of the Republic of Haiti shall constitute an agreement between our two governments.

Accept, Excellency, the renewed assurances of my highest consideration.

A handwritten signature in dark ink, appearing to read 'E. Preeg', enclosed within a large, hand-drawn circular scribble.

/s/ Ernest Preeg

ANNEX A

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>CONVERSION FACTOR</u>	<u>UNIT OF MEASURE</u>
YARN			
-- COTTON			
300	CARDED	4.6	LB.
301	COMBED	4.6	LB.
-- WOOL			
400	TOPS AND YARNS	2.0	LB.
-- MAN-MADE FIBER			
600	TEXTURED	3.5	LB.
601	CONT. CELLULOSIC	5.2	LB.
602	CONT. NONCELLULOSIC	11.6	LB.
603	SPUN CELLULOSIC	3.4	LB.
604	SPUN NONCELLULOSIC	4.1	LB.
605	OTHER YARNS	3.5	LB.
FABRIC			
-- COTTON			
310	GINGHAMS	1.0	SYD
311	VELVETEENS	1.0	SYD
312	CORDUROY	1.0	SYD
313	SHEETING	1.0	SYD
314	BROADCLOTH	1.0	SYD
315	PRINTCLOTHS	1.0	SYD

A) CONVERSION FACTOR IS USED TO CONVERT UNIT OF MEASURE (E.G., LB., DOZ., DOZEN PAIRS, OR NUMBERS) TO ITS EQUIVALENT IN SQUARE YARDS

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>CONVERSION FACTOR</u>	<u>UNIT OF MEASURE</u>
FABRIC (CONT.)			
--COTTON			
316	SHIRTINGS	1.0	SYD
317	TWILLS AND SATEENS	1.0	SYD
318	YARN-DYED	1.0	SYD
319	DUCK	1.0	SYD
320	OTHER FABRICS, N.K.	1.0	SYD
--WOOL			
410	WOOLEN AND WORSTED	1.0	SYD
411	TAPESTRIES AND UPHOLSTERY	1.0	SYD
425	KNIT	2.0	LB.
429	OTHER FABRICS	1.0	SYD
--MAN-MADE FIBER			
610	CONT. CELLULOSIC, N.K.	1.0	SYD
611	SPUN CELLULOSIC, N.K.	1.0	SYD
612	CONT. NONCELLULOSIC, N.K.	1.0	SYD
613	SPUN NONCELLULOSIC, N.K.	1.0	SYD
614	OTHER FABRICS, N.K.	1.0	SYD
625	KNIT	7.8	LB.
626	PILE AND TUFTED	1.0	SYD
627	SPECIALTY	7.8	LB.
APPAREL			
--COTTON			
330	HANDKERCHIEFS	1.7	DZ.
331	GLOVES	3.5	DPR
332	HOSIERY	4.6	DPR
333	SUIT-TYPE COATS, M AND B	36.2	DZ.
334	OTHER COATS, M AND B	41.3	DZ.
335	COATS, W., G AND I	41.3	DZ
336	DRESSES (INCL. UNIFORMS)	45.3	DZ

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>CONVERSION FACTOR</u>	<u>UNIT OF MEASURE</u>
337	PLAYSUITS, SUNSUITS, WASHSUITS, CREEPERS	25.0	DZ.
338	KNIT SHIRTS, (INC. T- SHIRTS, OTHER AND SWEATSHIRTS) M AND B	7.2	DZ.
339	KNIT SHIRTS AND BLOUSES INCL. T-SHIRTS, OTHER SWEATSHIRTS) W, G AND I	7.2	DZ.
340	SHIRTS, N.K.	24.0	DZ.
341	BLOUSES, N.K.	14.5	DZ.
342	SKIRTS	17.8	DZ.
345	SWEATERS	36.8	DZ.
347	TROUSERS, SLACKS, AND SHORTS (OUTER) M AND B	17.8	DZ.
348	TROUSERS, SLACKS AND SHORTS (OUTER) W, G AND I	17.8	dz.
349	GRASSIERES, ETC	4.8	DZ.
350	DRESSING GOWNS, INC. BATHROBES, AND BEACH HOUSE COATS, AND DUSTERS	51.0	DZ.
351	PAJAMAS AND OTHER NIGHTWEAR	52.0	DZ.
352	UNDERWEAR (INCL. UNION SUITS)	10.	DZ.
353	DOWN AND FEATHER-FILLED COATS, JACKETS AND VESTS M AND B	41.3	DZ.
354	DOWN AND FEATHER-FILLED COATS, JACKETS & VESTS, W, G AND I	41.3	DZ.
359	OTHER APPAREL	4.6	LBS.
--WOOL			
431	GLOVES	2.1	DPR
432	HOSIERY	2.8	DPR
433	SUIT-TYPE COATS, M AND B	36.0	DZ.
434	OTHER COATS, M AND B	54.0	DZ.

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>CONVERSION FACTOR</u>	<u>UNIT OF MEASURE</u>
435	COATS, W, G AND I	54.0	DZ.
436	DRESSES	49.2	DZ.
438	KNIT SHIRTS AND BLOUSES	15.0	DZ.
440	SHIRTS AND BLOUSES, N.K.	24.0	DZ.
442	SHIRTS	18.0	DZ.
443	SUITS, M AND B	54.0	DZ.
444	SUITS, W, G AND I	54.0	DZ.
445	SWEATERS, M AND B	14.88	DZ.
446	SWEATERS, W, G AND I	14.88	DZ.
447	TROUSERS, SLACKS AND SHORTS (OUTER) M AND B	18.0	DZ.
448	TROUSERS, SLACKS AND SHORTS (OUTER) W,G AND I	18.0	DZ.
459	OTHER WOOL APPAREL	2.0	LB.

APPAREL

--MAN-MADE FIBER

630	HANDKERCHIEFS	1.7	DZ.
631	GLOVES	3.5	DPR
632	HOSIERY	4.6	DPR
633	SUIT-TYPE COATS, M AND B	36.2	DZ.
634	OTHER COATS, M AND B	41.3	DZ.
635	COATS, W, G AND I	41.3	DZ.
636	DRESSES	45.3	DZ.
637	PLAYSUITS, SUNSUITS, WASHSUITS, ETC.	21.3	DZ.
638	KNIT SHIRTS, (INC. T-SHIRTS), M AND B	18.0	DZ.
639	KNIT SHIRTS AND BLOUSES (INCL. T-SHIRTS), W, G AND I	15.0	DZ.
640	SHIRTS, N.K.	24.0	DZ.
641	BLOUSES, N.K.	14.5	DZ.
642	SKIRTS	17.8	DZ.
643	SUITS, M AND B	54.0	DZ.
644	SUITS, W, G AND I	54.0	DZ.

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>CONVERSION FACTOR</u>	<u>UNIT OF MEASURE</u>
645	SWEATERS, M AND B	36.8	DZ.
646	SWEATERS, W, G AND I	36.8	DZ.
647	TROUSERS, SLACKS, AND SHORTS (OUTER) M AND B	17.8	DZ.
648	TROUSERS, SLACKS AND SHORTS (OUTER) W,G AND I	17.8	DZ.
649	BRASSIERES, ETC.	4.8	DZ.
650	DRESSING GOWNS, INCL. BATH AND BEACH ROBES	51.0	DZ.
651	PAJAMAS AND OTHER NIGHT-WEAR	52.0	DZ.
652	UNDERWEAR	16.0	DZ.
653	DOWN AND FEATHER-FILLED COATS, JACKETS AND VESTS M AND B	41.3	DZ.
654	DOWN AND FEATHER-FILLED COATS, JACKETS AND VESTS W, G AND I	41.3	DZ.
659	OTHER APPAREL	7.8	LB.
MADE-UPS AND MISC.			
--COTTON			
360	PILLOWCASES	1.1	NO.
361	SHEETS	6.2	NO.
362	BEDSPREADS AND QUILTS	6.9	NO.
363	TERRY AND OTHER PILE TOWELS	0.5	NO.
369	OTHER COTTON MANUFACTURES	4.6	LB.
--WOOL			
464	BLANKETS AND AUTO ROBES	1.3	LB.
465	FLOOR COVERING	0.1	SFT.
469	OTHER WOOL MANUFACTURES	2.0	LB.

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>CONVERSION FACTOR</u>	<u>UNIT OF MEASURE</u>
--MAN-MADE FIBER			
665	FLOOR COVERINGS	0.1	SFT.
666	OTHER FURNISHINGS	7.8	LB.
669 A)	OTHER MAN-MADE MANUFACTURES	7.8	LB.

A) EXCLUDING TSUSA NUMBERS 706.2045, 706.2700, 706.2840 and 706.2850



ANNEX B

SPECIFIC LIMITS

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>3/1/82</u>	<u>3/1/83</u>
--			<u>2/28/83</u>	<u>2/29/84</u>
337	PLAYSUITS	DOZ	104,863	112,203
340	N-SHIRTS M,B	DOZ	165,000	176,550
347/348	TROUSERS	DOZ	350,000	374,500
349/649	BRASSIERES	DOZ	1,400,000	1,498,000
632	HOSIERY	DOZ	1,800,000	1,926,000
635	COATS	DOZ	175,000	187,250
648	TROUSERS	DOZ	600,000	642,000

ANNEX C

DESIGNATED CONSULTATION LEVELS

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>
331	GLOVES	533,429 DPR
639	KNIT SHIRTS BLOUSES	380,000 DOZ
641	N-KNIT BLOUSES, WGI	317,241 DOZ

HAITIAN NOTE

Port-au-Prince, 1 April 1982

Monsieur Ernest PREEG,  
Ambassadeur des Etats-Unis d'Amérique  
Port-au-Prince, (HAITI)

Sir,

I have the honour to acknowledge the receipt of your letter No. 115 of  
25 March reading as follows:

(Text of United States letter)