

No. 10077

**UNITED STATES OF AMERICA
and
COLOMBIA**

**Exchange of notes constituting an agreement concerning trade
in cotton textiles (with annex). Washington, 18 September 1968**

Authentic text: English.

Registered by the United States of America on 1 December 1969.

**ÉTATS-UNIS D'AMÉRIQUE
et
COLOMBIE**

**Échange de notes constituant un accord relatif au commerce
des textiles de coton (avec annexe). Washington, 18 septembre 1968**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 1^{er} décembre 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
COLOMBIA CONCERNING TRADE IN COTTON
TEXTILES

I

DEPARTMENT OF STATE
WASHINGTON

September 18, 1968

Excellency:

I have the honor to refer to the cotton textile agreement between our two Governments, signed at Bogota on June 9, 1965,² as amended by exchanges of notes dated June 24, 1966,³ and February 20, 1968,⁴ and to our discussions concerning the exports of cotton textiles from Colombia to the United States. I confirm, on behalf of my Government, the understanding that this agreement is replaced by a new agreement as provided in the following numbered paragraphs.

1. The term of this agreement shall be from July 1, 1968, through June 30, 1971. During the term of this agreement, the Government of Colombia shall limit annual exports of cotton textiles from Colombia to the United States to aggregate, group, and specific limits at the levels specified in the following paragraphs.

2. For the first agreement year, constituting the 12-month period beginning July 1, 1968, the aggregate limit shall be 32.5 million square yards equivalent.

3. Within the aggregate limit, the following group limits shall apply for the first agreement year:

¹ Came into force on 18 September 1968 with retroactive effect from 1 July 1968, in accordance with the provision of the said notes.

² United Nations, *Treaty Series*, vol. 549, p. 3.

³ *Ibid.*, vol. 579, p. 342.

⁴ *Ibid.*, vol. 697, p. 330.

	<i>In Million Square Yards Equivalent</i>
Group I. Yarn (Categories 1-4)	15.2
Group II. Fabrics (Categories 5-27)	16.7
Group III. Made-up Goods, Apparel & Miscellaneous (Categories 28-64)	0.6

4. Within the limit for Group II, the following specific limits shall apply for the first agreement year:

<i>Group II Fabrics</i>	<i>In Million Square Yards Equivalent</i>
Categories 5/6.	1.8 of which not more than 0.3 shall be in Category 6
Category 9	3.3
Category 16	0.9
Category 19	1.0
Category 22	5.7
Category 26	3.5 of which not more than 0.5 shall be in duck

5. A. Within the aggregate limit, the limits for Groups II and III may be exceeded by not more than 5 percent. Within the Group limits, as they may be adjusted under this provision, specific limits may be exceeded by not more than 5 percent.

B. Within the aggregate limit the limit for Group I may be exceeded in any agreement year by the amount by which imports in the other groups are less than the sum of the limitations applicable to the other groups.

6. In the event of undue concentration in exports from Colombia to the United States of cotton textiles for which no specific ceilings are stated in paragraph 4, the Government of the United States of America may request consultation with the Government of Colombia in order to reach a mutually satisfactory solution to the problem. The Government of Colombia shall enter into such consultations when requested. Until a mutually satisfactory solution is reached, the Government of Colombia shall, starting with the twelve-month period beginning on the date of the request for consultation, limit the exports from Colombia to the United States in the category in question. This limit shall be one hundred five percent of the exports from Colombia to the United States in that category during the most recent twelve-month period preceding the request for consultation for which statistics are available to our two Governments on the date of the request.

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

8. In the second and succeeding twelve-month periods for which any limitations are in force under this agreement, the level of exports permitted under such limitations shall be increased by 5 percent of the corresponding levels for the preceding twelve-month period, the latter levels not to include any adjustments under paragraph 5.

9. The two Governments recognize that the successful implementation of this agreement depends in large part upon mutual cooperation on statistical questions. The Government of the United States of America shall promptly supply the Government of Colombia with monthly data on imports of cotton textiles from Colombia. The Government of Colombia shall promptly supply the Government of the United States of America with data on monthly exports of cotton textiles to the United States. Each Government agrees to supply promptly any other available relevant statistical data requested by the other Government.

10. In the implementation of this agreement, the system of categories and the rates of conversion into square yard equivalents listed in Annex A hereto shall apply. In any situation where the determination of an article to be a cotton textile would be affected by whether the criterion provided for in Article 9 of the Long-Term Arrangement¹ is used or the criterion provided for in paragraph 2 of Annex E of the Long-Term Arrangement is used, the chief value criterion used by the Government of the United States of America in accordance with paragraph 2 of Annex E shall apply.

11. The Government of the United States of America and the Government of Colombia agree to consult on any question arising in the implementation of the agreement.

12. Mutually satisfactory administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of this agreement including differences in points of procedures or operation.

13. If the Government of Colombia considers that as a result of limitations specified in this agreement, Colombia is being placed in an inequitable position *vis-à-vis* a third country, the Government of Colombia may request consultation with the Government of the United States of America with the view to taking appropriate remedial action such as reasonable modification of this agreement.

¹ United Nations, *Treaty Series*, vol. 471, p. 296. As registered by the Executive Secretary of the Contracting Parties to the General Agreement on Tariffs and Trade, this Arrangement is identified in the United Nations *Treaty Series* by the date of its entry into force, i.e., 1 October 1962.

14. During the term of this agreement, the Government of the United States of America will not request restraint on the export of cotton textiles from Colombia to the United States under the provisions of Article 3 of the Long-Term Arrangement. The applicability of the Long-Term Arrangement to trade in cotton textiles between Colombia and the United States shall otherwise be unaffected by this agreement.

15. During each of the three agreement years, the two Governments will charge against the specific, group and aggregate limits applicable for each such year the following quantities as compensation for overshipments during the twelve-month period beginning July 1, 1967, and imported into the United States through September 13, 1968:

	<i>First Agreement Year</i>	<i>Second Agreement Year (in Square Yards Equivalent)</i>	<i>Third Agreement Year</i>
Aggregate	2,081,711	1,040,855	1,040,855
Group I	1,658,853	829,426	829,426
Group II	668,253	334,126	334,127
Category 9	333,080	166,540	166,540
Category 22	493,793	246,896	246,896
Category 26	551,070	275,535	275,534
Category 26 (duck)	59,523	29,761	29,761

Any exports made in the twelve-month period beginning July 1, 1967 that are imported into the United States after September 13, 1968, will be charged against limits applicable to the first agreement year.

16. Both Governments shall take appropriate measures of export and import control to implement the limitation provisions of the agreement. The nature of these measures may be a matter of discussion between the two Governments.

17. Either Government may terminate this agreement, effective at the end of an agreement year, by written notice to the other Government to be given at least 90 days prior to the end of such agreement year. Either Government may at any time propose revisions in the terms of the agreement.

If the foregoing conforms with the understanding of your Government, this note and your Excellency's note of acceptance on behalf of the Government of Colombia shall constitute an agreement between our Governments.

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

For the Secretary of State:

Julius L. KATZ

Attachment:
Annex A

His Excellency Dr. Jorge Valencia Jaramillo
Ambassador Extraordinary and Plenipotentiary of Colombia
and Superintendent of Foreign Trade

ANNEX A

Category Number	Description	Unit	Conversion Factor to Sq. Yds.
1	Cotton Yarn, carded, singles	Lbs.	4.6
2	Cotton Yarn, carded, plied	Lbs.	4.6
3	Cotton Yarn, combed, singles	Lbs.	4.6
4	Cotton Yarn, combed, plied	Lbs.	4.6
5	Gingham, carded	Syds.	Not required
6	Gingham, combed	Syds.	Not required
7	Velveteen	Syds.	Not required
8	Corduroy	Syds.	Not required
9	Sheeting, carded	Syds.	Not required
10	Sheeting, combed	Syds.	Not required
11	Lawns, carded	Syds.	Not required
12	Lawns, combed	Syds.	Not required
13	Voile, carded	Syds.	Not required
14	Voile, combed	Syds.	Not required
15	Poplin and Broadcloth, carded	Syds.	Not required
16	Poplin and Broadcloth, combed	Syds.	Not required
17	Typewriter ribbon cloth	Syds.	Not required
18	Printcloth, shirting type, 80 × 80 type, carded	Syds.	Not required
19	Printcloth, shirting type, other than 80 × 80 type, carded	Syds.	Not required
20	Shirting, Jacquard or dobby, carded	Syds.	Not required
21	Shirting, Jacquard or dobby, combed	Syds.	Not required
22	Twill and sateen, carded	Syds.	Not required
23	Twill and sateen, combed	Syds.	Not required
24	Woven fabrics, n.e.s., yarn dyed, carded	Syds.	Not required
25	Woven fabrics, n.e.s., yarn dyed, combed	Syds.	Not required
26	Woven fabrics, n.e.s., other, carded	Syds.	Not required
27	Woven fabrics, n.e.s., other, combed	Syds.	Not required
28	Pillowcases, not ornamented, carded	Numbers	1.084
29	Pillowcases, not ornamented, combed	Numbers	1.084
30	Towels, dish	Numbers	.348
31	Towels, other	Numbers	.348
32	Handkerchiefs, whether or not in the piece	Dozen	1.66
33	Table damask and manufactures	Lb.	3.17
34	Sheets, carded	Numbers	6.2
35	Sheets, combed	Numbers	6.2
36	Bedspreads and quilts	Numbers	6.9
37	Braided and woven elastic	Lbs.	4.6
38	Fishing nets and fish netting	Lbs.	4.6
39	Gloves and mittens	Dozen	3.527
40	Hose and half hose	Doz. prs.	4.6

Category Number	Description	Unit	Conversion Factor to Sq. Yds.
41	T-shirts, all white, knit men's and boys'	Dozen	7.234
42	T-shirts, other knit	Dozen	7.234
43	Shirts, knit, other than T-shirts and sweatshirts	Dozen	7.234
44	Sweaters and cardigans	Dozen	36.8
45	Shirts, dress, not knit, men's and boys'	Dozen	22.186
46	Shirts, sport, not knit, men's and boys'	Dozen	24.457
47	Shirts, work, not knit, men's and boys'	Dozen	22.186
48	Raincoats, $\frac{3}{4}$ length or longer, not knit	Dozen	50.0
49	Coats, other, not knit.	Dozen	32.5
50	Trousers, slacks and shorts (outer) not knit, men's and boys'	Dozen	17.797
51	Trousers, slacks and shorts (outer) not knit, women's, girls' and infants'	Dozen	17.797
52	Blouses, not knit	Dozen	14.53
53	Dresses (including uniforms) not knit	Dozen	45.3
54	Playsuits, sunsuits, washsuits, creepers, rompers, etc., not knit, n.e.s.	Dozen	25.0
55	Dressing gowns, including bathrobes and beachrobes, lounging gowns, housecoats, and dusters, not knit	Dozen	51.0
56	Undershirts, knit, men's and boys'	Dozen	9.2
57	Briefs und undershorts, men's and boys'	Dozen	11.25
58	Drawers, shorts and briefs, knit, n.e.s.	Dozen	5.0
59	All other underwear, not knit	Dozen	16.0
60	Pajamas and other nightwear	Dozen	51.95
61	Brassieres and other body supporting garments	Dozen	4.75
62	Wearing apparel, knit, n.e.s.	Lbs.	4.6
63	Wearing apparel, not knit, n.e.s.	Lbs.	4.6
64	All other cotton textiles	Lbs.	4.6

II

*The Colombian Ambassador to the Secretary of State*EMBAJADA DE COLOMBIA ¹

WASHINGTON

September 18, 1968

Excellency:

I have the honor to acknowledge receipt of your Note of September 18, 1968, referring to recent discussions between representatives of our two Govern-

¹ Embassy of Colombia

ments concerning exports of cotton textiles from Colombia to the United States and confirming, on behalf of your Government, that the Agreement between our two Governments dated June 9, 1965, as amended, is to be replaced by a new Agreement as set out in your Note.

I have the honor to confirm, on behalf of my Government, that the understandings referred to in your Note are the same as the understandings of my Government and that the text of the new Agreement as set out in Your Excellency's Note is acceptable to my Government. I further have the honor to concur in the proposal that Your Excellency's note and this Note shall constitute an Agreement between our two Governments.

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

Jorge VALENCIA J.

His Excellency Dean Rusk
Secretary of State,
Washington, D.C.