

No. 11350

**UNITED STATES OF AMERICA
and
COLOMBIA**

**Exchange of notes constituting an agreement concerning trade
in cotton textiles (with annex). Bogotá, 25 June 1971**

Authentic texts: English and Spanish.

Registered by the United States of America on 21 September 1971.

**ÉTATS-UNIS D'AMÉRIQUE
et
COLOMBIE**

**Échange de notes constituant un accord relatif au commerce
des textiles de coton (avec annexe). Bogotá, 25 juin 1971**

Textes authentiques: anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 21 septembre 1971.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT ¹
 BETWEEN THE UNITED STATES OF AMERICA AND
 COLOMBIA CONCERNING TRADE IN COTTON TEX-
 TILES

I

EMBASSY OF THE UNITED STATES OF AMERICA
 BOGOTÁ, COLOMBIA

No. 378

June 25, 1971

Doctor Arbeláez:

I have the honor to refer to the cotton textile Agreement between our two Governments, signed at Bogotá on September 18, 1968 ² and to our discussions concerning the exports of cotton textiles from Colombia to the United States. As a result of these discussions, I have the honor to propose that the aforementioned agreement be succeeded upon its expiration by the following agreement:

1. The term of this agreement shall be from July 1, 1971 through June 30, 1975. 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, 1971, the aggregate limit shall be 40.0 million square yards equivalent.

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

		<i>In Million Square Yards Equivalent</i>
<i>Group I.</i>	Yarn (Categories 1-4)	17.7
<i>Group II.</i>	Fabrics (Categories 5-27)	21.3
<i>Group III.</i>	Made-up Goods, Apparel & Miscellaneous (Categories 28-64)	1.0

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

¹ Came into force on 25 June 1971 by the exchange of the said notes.

² United Nations, *Treaty Series*, vol. 702, p. 211.

*Group II Fabrics**In Square Yards*

Category 5	1,736,437
Category 6	347,288
Category 9/10	4,538,250
Category 16	1,041,863
Category 19	1,157,625
Category 22/23	7,600,000
Category 26 (excluding duck)	3,657,500
Category 26 (duck)	578,812
Category 27	661,200

5. A. Within the aggregate limit, the limits for Group II may be exceeded by not more than 10 percent and for Group III 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 and 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 this agreement is in force, the level of exports permitted under each limitation 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 and paragraph 9.

9. A. For any agreement year immediately following a year of a shortfall (i.e., a year in which cotton textile exports from Colombia to the United States were below the aggregate limit and any group and specific limits applicable to the category concerned) the Government of Colombia may permit exports to exceed these limits by carryover in the following amounts and manner:

- (i) The carryover shall not exceed the amount of shortfall in either the aggregate limit or any applicable group or specific limit and shall not exceed either 5 percent of the aggregate limit or 5 percent of the applicable group limit in the year of the shortfall; and
- (ii) In the case of shortfalls in the categories subject to specific limits, the carryover shall not exceed 5 percent of the specific limit in the year of the shortfall, shall be used in the same category in which the shortfall occurred, and shall be in addition to the exports permitted in paragraph 5; and
- (iii) In the case of shortfalls not attributable to categories subject to specific limits, the carryover shall be used in the same group in which the shortfall occurred, shall not be used to exceed any applicable specific limit except in accordance with the provisions of paragraph 5, and shall not be used to exceed the limits in paragraph 6 of the agreement.

B. The limits referred to in subparagraph (A) of this paragraph are without any adjustments under this paragraph or paragraph 5.

10. 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.

11. In the implementation of this agreement, the system of categories and the rates of conversion into square yards 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 Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, as extended,¹ 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.

12. 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.

13. 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.

14. 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-a-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.

15. 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.

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.

¹ United Nations, *Treaty Series*, vol. 471, p. 296, and annex A in volumes 620 and 753. As registered by the Executive Secretary to 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.

If these proposals are acceptable to your Government, this note and your note of acceptance on behalf of the Government of Colombia shall constitute an agreement between our two Governments.

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

[Signed]

LEONARD J. SACCIO

Ambassador of the United States of America

Attachment:

Annex A

Dr. Raúl Arbeláez Uribe
Director
Colombian Institute of Foreign Commerce
Bogotá, Colombia

ANNEX A

<i>Category Number</i>	<i>Description</i>	<i>Unit</i>	<i>Conversion Factor to Syds.</i>
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	Print cloth, shirting type, 80 × 80 type, carded	Syds.	Not required
19	Print cloth, shirting type, other than 80 × 80 type, carded	Syds.	Not required

<i>Category Number</i>	<i>Description</i>	<i>Unit</i>	<i>Conversion Factor to Syds.</i>
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 fabric, n.e.s., yarn dyed, carded	Syds.	Not required
25	Woven fabric, n.e.s., yarn dyed, combed	Syds.	Not required
26	Woven fabric, n.e.s., other, carded . . .	Syds.	Not required
27	Woven fabric, 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	0.348
31	Towels, other	Numbers	0.348
32	Handkerchiefs, whether or not in the piece	Dozen	1.66
33	Table damask and manufactures	Ibs.	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	Ibs.	4.6
38	Fishing nets and fish netting	Ibs.	4.6
39	Gloves and mittens	Doz. prs.	3.527
40	Hose and half hose	Doz. prs.	4.6
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, 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, house- coats, and dusters, not knit	Dozen	51.0

<i>Category Number</i>	<i>Description</i>	<i>Unit</i>	<i>Conversion Factor to Syds.</i>
56	Undershirts, knit, men's and boys' . . .	Dozen	9.2
57	Briefs and 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	51.96
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

Apparel items exported in sets shall be recorded under separate categories of the component items.

II

[SPANISH TEXT — TEXTE ESPAGNOL]

Bogotá, D. E., 25 de junio de 1971

No. 09027

Excelencia:

Tengo el honor de acusar recibo de la nota No. 378 del 25 de junio de 1971, en la cual Vuestra Excelencia se refiere a las conversaciones recientemente sostenidas entre representantes de nuestros dos gobiernos, concernientes a las exportaciones de textiles de algodón de Colombia a los Estados Unidos y que confirman que el Acuerdo entre Colombia y los Estados Unidos de América sobre esta misma materia, firmado el 18 de septiembre de 1968 en Washington, es reemplazado por el nuevo Acuerdo a que hace referencia la mencionada nota.

Por mi parte me es grato confirmar que el texto de las propuestas expresadas en dicha nota es aceptado por el Gobierno de Colombia y que en consecuencia la nota de Vuestra Excelencia y esta respuesta constituyen un Acuerdo entre nuestros dos gobiernos sobre el particular.

Acepte, Excelencia, el reconocimiento de mi más alta y distinguida consideración.

[Signed — Signé]

RAÚL ARBELÁEZ URIBE

Director

Instituto Colombiano de Comercio Exterior

A su Excelencia el señor Leonard J. Saccio
Embajador de los Estados Unidos de América
La ciudad

[TRANSLATION ¹ — TRADUCTION ²]

Bogotá, D. E., June 25, 1971

No. 09027

Excellency:

I have the honor to acknowledge receipt of note No. 378 of June 25, 1971, in which Your Excellency refers to the recently held talks between representatives of our two Governments concerning the exportation of cotton textiles from Colombia to the United States and confirming that the Agreement between Colombia and the United States on this subject, signed on September 18, 1968, at Washington, has been replaced by the new Agreement to which the aforementioned note refers.

For my part, I am happy to confirm that the text of the proposals made in the aforesaid note has been accepted by the Government of Colombia, and that consequently, Your Excellency's note and this reply constitute an Agreement between our two Governments in this matter.

Accept, Excellency, the assurance of my highest and most distinguished consideration.

[Signed]

RAÚL ARBELÁEZ URIBE

Director
Colombian Institute of Foreign Commerce

His Excellency Leonard J. Saccio,
Ambassador of the United States of America
Bogotá

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des États-Unis d'Amérique.