

No. 15105

**UNITED STATES OF AMERICA
and
POLAND**

**Exchange of notes constituting an agreement relating to
trade in cotton textiles (with annex). Washington,
6 November 1975**

Authentic text: English.

Registered by the United States of America on 10 November 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
POLOGNE**

**Échange de notes constituant un accord relatif au commerce
des textiles de coton (avec annexe). Washington,
6 novembre 1975**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 10 novembre 1976.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE POLISH PEOPLE'S REPUBLIC RELATING TO TRADE IN COTTON TEXTILES

I

November 6, 1975

Excellency:

I have the honor to refer to the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973,² hereinafter referred to as the Arrangement. I also refer to the recent discussions between Representatives of our two Governments concerning exports of cotton textiles from Poland to the United States. As a result of those discussions, and in conformity with Articles 2, 4 and 6 of the Arrangement, I wish to propose the following agreement relating to trade in cotton textiles between Poland and the United States to replace and supersede, effective January 1, 1975, the existing Cotton Textile Agreement of March 15, 1967, as amended,³ relating to this trade.

1. The term of this Agreement shall be from January 1, 1975, through December 31, 1977. During such term, the Government of the Polish People's Republic shall limit annual exports from Poland to the United States of America to the annual levels specified in the following paragraphs.

2. During the first year of the agreement, constituting the 12-month period from January 1, 1975, through December 31, 1975, the aggregate limit shall be 15,000,000 square yards equivalent.

3. (a) Within the aggregate limit, exports in individual categories shall be subject to category consultation levels. For categories not listed in (b) of this paragraph, the annual consultation levels shall be 1,000,000 square yards equivalent for each non-apparel category and 700,000 square yards equivalent for each apparel category.

(b) The following categories shall have designated annual consultation levels as indicated (square yards equivalent):

	<i>Designated Annual Consultation Level</i>
36 Bedspreads	1,500,000
41 All White T-shirts	1,500,000
42 Other T-shirts	2,000,000
43 Other Knit Shirts	3,000,000
48 Raincoats, ³ / ₄ length or longer	1,000,000
49 Other coats	1,800,000
62 Other Knit Apparel	1,500,000

(c) In the event the Government of the Polish People's Republic wishes to export to the United States of America textile products in excess of the applicable consultation levels, the Government of the Polish People's Republic shall request the higher levels, and the Government of the United States of America shall consider the request sympathetically and shall respond promptly. If, because of problems of market disruption in the United States of America in a category subject to such request, the United States of America is unable to comply fully, the United States of America will so inform the Government of the

¹ Came into force on 6 November 1975 by the exchange of the said notes, with retroactive effect from 1 January 1975, in accordance with their provisions.

² United Nations, *Treaty Series*, vol. 930, p. 166.

³ *Ibid.*, vol. 688, p. 323; vol. 740, p. 456, and vol. 944, p. 373.

Polish People's Republic and will supply data which forms the basis of the position taken by the United States of America. The Government of the United States of America will consult promptly with the Government of the Polish People's Republic to arrive at a mutually satisfactory solution. Until a mutually satisfactory change in the consultation level of the category in question is established, shipments shall not exceed the existing consultation level.

4. (a) In any agreement year, exports may exceed by a maximum of 11 percent the aggregate limit by allocating to the limit for that year an unused portion of the aggregate limit for the previous year (carryover) or a portion of the aggregate limit for the succeeding agreement year (carry forward).

- (i) Carryover may be utilized as available up to 11 percent of the receiving year's aggregate limit, but for the first agreement year only shall be limited to 5 percent.
- (ii) Carry forward may be utilized up to 6 percent of the receiving year's aggregate limit and charged against the next year's aggregate limit.
- (iii) The combination of carryover and carry forward may not exceed 11 percent of the receiving year's aggregate limit in any agreement year.

(b) For purposes of this agreement a shortfall occurs when exports from the Polish People's Republic to the United States of America during an agreement year are below the aggregate limit in this agreement. The carryover shall not exceed the amount of such shortfalls.

(c) Carryover and carry forward shall not be used to exceed any category consultation level except in accordance with the consultation procedures of paragraph 3(c), hereof.

(d) The limits referred to in subparagraph (a) and (b) of this paragraph are without any adjustments hereunder, except that carryover and carry forward shall be in addition to the growth permitted under paragraph 5, hereof.

5. The aggregate limit shall be increased in the second and third agreement years by seven percent annually.

6. The Government of the Polish People's Republic shall use its best efforts to space exports from Poland to the United States within each category evenly throughout the agreement year, taking into consideration normal seasonal factors.

7. The Government of the United States of America shall promptly supply the Government of the Polish People's Republic with data on monthly imports of cotton textiles and textile products from Poland; and the Government of the Polish People's Republic shall promptly supply the Government of the United States of America with quarterly data on exports of cotton textiles and textile products to the United States. Each Government agrees to supply promptly any other pertinent and readily available statistical data requested by the other Government.

8. In implementing this agreement, the system of categories and the rate of conversion into square yards equivalent listed in the annex hereto shall apply. In any situation where the determination of an article to be a cotton textile would be affected by whether the chief weight or chief value criterion provided for in Article 12 of the Arrangement applies, the chief value criterion used by the Government of the United States of America shall apply.

9. The Government of the Polish People's Republic and the Government of the United States of America agree to consult on any question arising in the implementation of this agreement.

10. Mutually satisfactory administrative arrangements or adjustments may be made in the implementation of this agreement.

11. If the Government of the Polish People's Republic considers that, as a result of limitations specified in this agreement, Poland is being placed in an inequitable position vis-à-vis a third country, the Government of the Polish People's Republic may request

consultation with the Government of the United States of America with a view to taking appropriate remedial action such as reasonable modification of this agreement.

12. During the term of this agreement, the Government of the United States of America will not apply the provisions of Article 3 of the Arrangement to any cotton textile or apparel product covered by this agreement.

13. Either Government may terminate this agreement effective at the end of any 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 this agreement.

If the foregoing proposal is acceptable to the Government of the Polish People's Republic, this note and your note of confirmation on behalf of the Government of the Polish People's Republic shall constitute an agreement between the Government of the Polish People's Republic and the Government of the United States of America.

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

For the Secretary of State:
JULIUS L. KATZ

His Excellency Dr. Witold Trampczyński
Ambassador of the Polish People's Republic

ANNEX A

Category Number	Description	Unit	Conversion Factor to Syds.
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
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

<i>Category Number</i>	<i>Description</i>	<i>Unit</i>	<i>Conversion Factor to Syds.</i>
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	lbs.	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
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, housecoats, and dusters, not knit	Dozen	51.0
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	51.95
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

EMBASSY OF THE POLISH PEOPLE'S REPUBLIC
WASHINGTON, D.C.

Washington, D.C., November 6, 1975

Excellency,

I have the honor to acknowledge the receipt of your note of this date, in which you propose an Agreement relating to Trade in Cotton Textiles between the Polish People's Republic and the United States of America.

On behalf of the Polish Government, I wish to confirm that the contents of your note are in accordance with the understandings reached in the discussions mentioned by Your Excellency. Therefore, your note and this note of confirmation shall constitute the Agreement between our two Governments on this subject.

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

[Signed]

WITOLD TRAMPCZYŃSKI
Ambassador

His Excellency Henry A. Kissinger
Secretary of State
Washington, D.C.
