



Elder Manufacturing Company, Inc.  
999 Executive Parkway, Suite 300  
St. Louis, MO 63141  
Phone: 1-314-469-1120  
Fax: 1-800-788-9891  
[www.Elderwearwecare.com](http://www.Elderwearwecare.com)

## COMMERCIAL AVAILABILITY REQUEST

--PUBLIC VERSION--

September 21, 2010

Ms. Kim Glas  
Secretary to Deputy Assistant, Committee for The Implementation of Textile Agreements  
Office of Textiles and Apparel, Room H3100  
U.S. Department of Commerce  
14<sup>th</sup> and Constitution Ave., NW  
Washington, DC 20230

**Re: Commercial Availability Request Under Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act**

Pursuant to Section 203(o)(4) of the Dominican Republic-Central America- United States Free Trade Agreement (“CAFTA-DR”) Implementation Act and the Modified Final Procedures set forth in 73 Fed. Reg. 53200 (September 15, 2008) (“Final Procedures”), Elder Manufacturing Company, Inc. (“Elder”) respectfully requests that the fabric described herein (“subject fabric”) be added to the list in Annex 3.25 of CAFTA-DR in an unrestricted quantity.

After an engagement of potential suppliers from the due diligence process, Elder has determined that the subject fabric is not available in commercial quantities in a timely manner from a supplier in the CAFTA-DR countries. It is following a good faith effort to secure the fabric that Elder submits this Commercial Availability Request.

## **I. Detailed Product Description**

The fabric in question is a flannel fabric made of ring spun two ply yarns of a unique blend of piece dyed staple fibers and a combination of finishing processes that are critical for the end-use of bottoms intended for school uniforms. For the end-use described, other fabrics of different fibers, yarn types, thread counts or weaves, and without the exact combination of finishing processes, cannot substitute the requested fabric.

Fabric Type	Woven Flannel
Fiber Content	50% Polyester/25% Rayon/25% Acrylic
Yarn Size	2/47x2/47 to 2/50x2/50 CC
Thread Count	WP 32 to 33 CM, FLG 25.5 to 26.5 Picks/CM
Weave Type	Four Harness Twill
Fabric Weight	210-225 grams/meter <sup>2</sup>
Fabric Width	148-152 CM
Coloration	Piece dyed, then over dyed (single uniform color)
Finishing Processes	(CRF) Finish softeners, singed, semi decated, sheared
Quantity	[[*****]] average square meters per month
HTSUS	5515.11.0040

## **II. Quantity**

Elder requires approximately [[\*\*\*\*\*]] yards ([[\*\*\*\*\*]] meters) per month.

## **III. Due Diligence**

The potential suppliers from the current request were compiled through Elder's experience doing business in the CAFTA-DR region and through the contact mechanisms of U.S. and Central American textile associations. These efforts did not result in identifying any parties that were able to supply the subject fabric in the parameters, time and/or quantities required by Elder.

Over the course of the due diligence process of this request, seven firms were contacted about their ability to supply the subject fabric: Mt. Vernon Mills, Springfield, LLC, Galey & Lord, Carr Textile, Phillipps Textile, Liztex Industries and Monte Textil. Galey & Lord and Carr Textile initially expressed interest. Mt. Vernon, Springfield, Phillipps Textile, Liztex Industries and Monte Textil replied that they would not supply the fabric.

(3)

1. Mt. Vernon Mills, Inc. confirmed via email that it would not be producing the subject fabric in the near future.
2. Springfield, LLC confirmed via email that it would not be able to provide the subject fabric at this time.
3. Galey & Lord Industries, LLC initially expressed an interest to supply to Elder, but after discussing the matter in detail with Elder, Galey & Lord confirmed via email that it would not provide the subject fabric at this time.
4. Carr Textile Corporation initially expressed an interest to supply the subject fabric to Elder. Elder discussed the matter in more detail with Carr Textile and received a cost quote of [\*\*\*] per yard from Carr. Carr's quote was from a China supplier, which is not a qualifying CAFTA-DR region country and all components are made in China from the yarns through to the end fabric. Carr indicated that they had one more source to check with but in the end did not produce another option and thanked Elder for the opportunity. Therefore, Carr was unable to provide the subject fabric.
5. Phillipp Textiles, Inc. contacted us in response to our inquiry with the National Textile Association. Phillipp replied that they did not manufacture the subject fabric but had "noted our product description page" which meant that they will keep our information on file in case there is future interest or opportunity.
6. Liztex Industries replied via email that they do not work with the subject fabric.
7. Monte Textil, S.A. replied via email that they cannot produce the subject fabric.

The following information sets forth the firms and associations that were contacted with regard to whether they, or their members, could supply the subject fabric within the specifications described in Section I. Confirmations of the contacts are provided within Appendix I of the confidential version of this request. All communications were conducted via email.

**Industry Associations:**

<b>Association:</b>	<b>Adozona</b>
Contact:	Jose M. Torres, Executive Director : <a href="mailto:adozona@codetel.net.do">adozona@codetel.net.do</a>
Address:	AV. Sarasota #20, 4to. Piso, Torre Empresarial AIRD, Apartado Postal 3184 Santo Domingo, RD
Date Contacted:	June 16, 2010
Nature of Request:	Inquiry to ability of members to supply subject fabric
Reply and Date:	June 22, 2010: Second Request.
Reply and Date:	June 22, 2010: Adozona replied that they had no production of the subject fabric in the DR.

(4)

**Association:** **Costa Rican Chamber of Textiles**  
Contact: Maria Aminta Quirce, Director: [maqcateco@racsa.co.cr](mailto:maqcateco@racsa.co.cr)  
Address: Apartado 1512 1002 Pase De Estudiantes  
San Jose, Costa Rica  
Date Contacted: June 16, 2010  
Nature of Request: Inquiry to ability of members to supply subject fabric  
Reply and Date: June 17, 2010: Racsa replied that they had no production of the subject fabric in Costa Rica.

**Association:** **National Council of Textile Organizations**  
Contact: Michael Hubbard, Vice President: [mhubbard@ncto.org](mailto:mhubbard@ncto.org)  
Address: 910 17<sup>th</sup> Street. NW. Suite 1020  
Washington, D.C. 20006  
Date Contacted: June 17, 2010  
Nature of Request: Inquiry to ability of members to supply subject fabric  
Reply and Date: June 17, 2010: NCTO replied that they would forward Elder's information to their fabric producers.  
No responses were received.

**Association:** **National Textile Association**  
Contact: David Turnbull, Vice President, International Trade: [davidturnbull@nationaltextile.org](mailto:davidturnbull@nationaltextile.org)  
Address: 6 Beacon Street, Suite 1125  
Boston, MA 02108  
Date Contacted: June 16, 2010  
Nature of Request: Inquiry to ability of members to supply subject fabric  
Reply and Date: June 22, 2010: NCTO replied that they would forward Elder's information to their fabric producers.  
One response was received from Phillipp Textiles, Inc. (See Below)

**Association:** **Union de Industrias Textiles (UNITEX)**  
Contact: Ingrid Burgos, Executive Director: [unitex\\_gg@telesal.net](mailto:unitex_gg@telesal.net)  
Address: Calle Liverpool y Roma, edificio ASI  
San Salvador, El Salvador  
Date Contacted: June 16, 2010  
Nature of Request: Inquiry to ability of members to supply subject fabric  
June 22, 2010: Second Request  
Reply and Date: June 22, 2010: UNITEX replied that they would forward Elder's information to their fabric producers.  
No responses were received.

**Association:** **Nicaraguan Textile Association (Anitec)**  
Contact: Dean Garcia, Executive Director: [director@anitec.net](mailto:director@anitec.net)  
KM. 12 1.2 carretera Norte, Parque Industrial Las Mercedes  
Modulo 14, ROCEDES 5, Managua, Nicaragua  
Date Contacted: June 16, 2010  
Nature of Request: Inquiry to ability of members to supply subject fabric  
June 22, 2010: Second Request  
Reply and Date: June 23, 2010: Anitec replied that they would forward Elder's information to their fabric producers.  
No responses were received.

(5)

**Association:** **Asociacion Hondurena, de Maquiladores**  
**Contact:** Jose' Geovani Lara, Capacity Advisor: [utp4@ahm-honduras.com](mailto:utp4@ahm-honduras.com)  
**Date Contacted:** July 22, 2010  
**Nature of Request:** Inquiry to ability of members to supply subject fabric  
**Reply and Date:** July 22, 2010: Jose' Geovani Lara forwarded our request to his partner, Astrid Varnica to respond but there was no response.  
Sept. 16, 2010- 2<sup>nd</sup> Request sent to AHM to provide Ms. Varnica's email address so that Elder could contact her personally.

(6)

**Association:** **Guatemalan Apparel And Textile Committee- Vestex**  
**Contact:** Karin De Leon, Market Access Division: [kdeleon@apparel.com.gt](mailto:kdeleon@apparel.com.gt)  
**Date Contacted:** August 24, 2010  
**Nature of Request:** Inquiry to ability of members to supply subject fabric  
**Reply and Date:** August 24, 2010: Karin De Leon informed Elder that 2 of their members could not produce the subject fabric. There was no response from America Textil.

**Companies:**

**(1) Company:** **Mount Vernon Mills, Inc.**  
**Address:** 91 4<sup>th</sup> Street, P.O. Box 7, Trion, GA 30753  
**Phone:** (706)734-2311  
**Contact:** Frank Clements, Sales Contact: [fcmvm@aol.com](mailto:fcmvm@aol.com)  
**Date Contacted:** May 10, 2010  
**Nature of Request:** Inquiry to ability to supply subject fabric.  
**Sample Provided:** No  
**Reply and Date:** May 10, 2010: Frank Clements replied that Mount Vernon does not have the ability to produce the subject fabric.

**(2) Company:** **Springfield LLC.**  
**Address:** 100 Jericho Quadrangle, Suite 340, Jericho, NY 11753  
**Phone:** 803-909-5532  
**Contact:** George Landsdowne, Sales Contact: [george.landsdowne@springfieldllc.com](mailto:george.landsdowne@springfieldllc.com)  
**Date Contacted:** May 10, 2010  
**Nature of Request:** Inquiry to ability to supply subject fabric.  
**Sample Provided:** No  
**Reply and Date:** May 10, 2010: George Landsdowne replied that Springfield does not currently produce this type of fabric and would find it difficult to service our fabric needs and declined our request.

**(3) Company:** **Galey & Lord Industries, LLC.**  
**Address:** 7736 McCloud Road, Suite 300, Greensboro, NC 27409  
**Phone:** 336-665-3000  
**Contact:** Robert Lewis, Sales Contact: [rlewis@swiftgaley.com](mailto:rlewis@swiftgaley.com)  
**Date Contacted:** May 10, 2010  
**Nature of Request:** Inquiry to ability to supply subject fabric.

(6)

**Galey & Lord Industries, LLC., continued**

Sample Provided: Yes  
Reply and Date: May 10, 2010: Robert Lewis replied and asked for specifics and samples of the colors we are currently running and if this fabric was on the short supply list.  
Reply and Date: May 10, 2010: Elder responded that we would be happy to send a swatch to them for their review and that this fabric was not currently on the short supply list yet.  
Reply and Date: May 14, 2010: Galey replied that they had received the samples and were reviewing them for costing.  
Reply and Date: May 20, 2010: Elder inquired if Galey was able to get a cost quote for the tri blend fabric we had submitted to them.  
Reply and Date: May 20, 2010: Galey replied that they would have to pass and would not be able to provide this fabric at this time.

**(4) Company:**

**Carr Textile Corporation**

Address: 243 Wolfner Drive, Fenton, MO 63026  
Phone: 800-432-6620  
Contact: Tom Krebs, Sales Contact: [tom@carrtextile.com](mailto:tom@carrtextile.com)  
Date Contacted: May 10, 2010  
Nature of Request: Inquiry to ability to supply subject fabric.  
Sample Provided: Yes  
Reply and Date: May 10, 2010: Tom Krebs replied that Carr Textile was interested and asked for a sample and estimated usage.  
Reply and Date: May 10, 2010: Elder replied that we would send Carr samples and provided Elder's estimated usage of the subject fabric.  
Reply and Date: May 11, 2010: Carr replied that they received the samples and would be in touch.  
Reply and Date: May 14, 2010: Elder inquired if Carr had a chance to review our samples to see if they would be interested in producing the subject fabric and at what cost.  
Reply and Date: May 14, 2010: Carr replied that they had done previous development on this type of fabric and had desk looms that they could send us a sample of. Carr said they would have pricing the following week.  
Reply and Date: May 18, 2010: Carr replied with a pricing proposal and said they would send a sample.  
Reply and Date: May 18, 2010: Elder replied that Carr's quote was more than Elder wants to pay and currently pays for the subject fabric and their source does not qualify as a CAFTA region for the subject fabric.  
Reply and Date: May 18, 2010: Carr replied that they were exploring another source and would report back once they received a proposal.  
Reply and Date: May 24, 2010: Elder inquired if Carr had heard from the other source.  
Reply and Date: May 24, 2010: Carr replied that they had contacted their other source on May 21, 2010 and should hear from the source this week.  
Reply and Date: May 27, 2010: Elder inquired if Carr had heard from the other source.

(7)

**Carr Textile Corporation, continued**

Reply and Date: May 27, 2010: Carr replied that they had not heard from their source, wondered if they would and said they'd let us know either way.

Reply and Date: June 2, 2010: Elder inquired again if Carr had heard from the other source.

Reply and Date: June 2, 2010: Carr replied that the other sources had chosen not to respond and its original quote that Elder rejected still stands. Carr thanked us for the opportunity.

Reply and Date: June 4, 2010: Elder inquired if any of the components of the tri-blend fabric were able to be made by Carr.

Reply and Date: June 4, 2010: Carr replied their mill provided the total finished package to Carr.

Reply and Date: June 4, 2010: Elder explained that we are trying to discern whether Carr has the capability of producing the ring spun yarn but chooses to outsource it instead.

Reply and Date: June 4, 2010: Carr said they would investigate and report any findings the following week.

Reply and Date: June 10, 2010: Elder inquired if Carr found out any more concerning Elder's last inquiry.

Reply and Date: Carr Textiles Continued:  
June 10, 2010: Carr that their outsourced mill weaves and finishes their goods and works together with another mill in China to produce the yarns. Again, they mentioned that they outsource everything as a finished package.

**(5) Company:**

**Phillipp Textiles, Inc.**

Address: 2314-16 North Moore Ave. Moore, OK 73160  
Phone: East Coast Office 215-297-8851  
Contact: Hank Dunn, Sales Contact: [hankmktgroup@comcast.net](mailto:hankmktgroup@comcast.net)  
Date Contacted: June 22, 2010  
Reply and Date: Phillip Textiles contacted us in response to our inquiry through The National Textile Association. Phillip replied that they did not manufacture the subject fabric but had "noted our product description page" which meant that they will keep our information on file in case there is future interest or opportunity.

Sample Provided: No

**(6) Company:**

**Industrias Liztex**

Address: Parques del Lago Kn 30.5, Ruta Al Pacifico Amatitlan, Guatemala  
Phone: (502) 6633-6550  
Contact: Saul Mishaan, Sales Contact: [saul@liztex.com](mailto:saul@liztex.com)  
Date Contacted: June 16, 2010  
Reply and Date: June 17, 2010: Liztex replied that they do not work with the subject fabric.

Sample Provided: No

(8)

(7) **Company:** Monte Textil S.A.  
**Address:** Km 18.5 Carr Al Mayan Golf Villa Nueva,  
Guatemala  
**Phone:** (502) 6628-0800  
**Contact:** Juan Carlos Castaneda, Export Manager: juancarlos@textisur.com  
**Contacted:** June 16, 2010  
**Reply and Date:** June 17, 2010: Monte Textil S.A. replied that they do not produce the  
subject fabric.  
**Sample Provided:** No

As a result of the above inquiries, Elder Mfg. Co. Inc. does not believe that the subject fabric is commercially available in the CAFTA-DR region in a timely manner and we request that it be added to Annex 3.25.

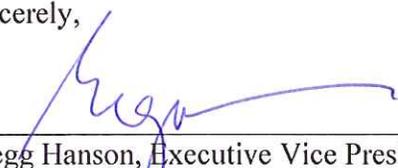
#### **IV. Substitutable Products**

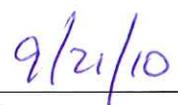
The fabric in question is a flannel fabric made of ring spun two ply yarns of a unique blend of fiber dyed and piece dyed fibers and a combination of finishing processes that are critical for the end-use of bottoms intended for school uniforms. For the end-use described, other fabrics of different fibers, yarn types, thread counts or weaves, and without the exact combination of finishing processes, cannot substitute the requested fabric.

#### **V. Closing**

If you have any questions or require further information with regard to this request, please contact Gregg Hanson at (314) 469-1120, ext. 38, or [ghanson@eldermfg.com](mailto:ghanson@eldermfg.com).

Sincerely,

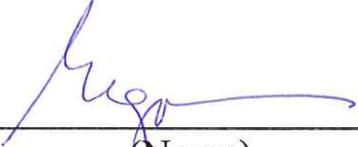
  
\_\_\_\_\_  
Gregg Hanson, Executive Vice President,  
Elder Manufacturing Co. Inc.

  
\_\_\_\_\_  
Date:

## Due Diligence Certification

I, Gregg Hanson, VP of Elder Manufacturing Company, Inc., certify that I:

- 1.) have read the attached submission, and
- 2.) the information contained in this submission is, to the best of my knowledge complete and accurate.

Signed:   
(Name)

Date: 9/21/10