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October 26, 2007

VIA OVERNIGHT DELIVERY

PUBLIC
VERSION

Mr. R. Matthew Priest
Chairman, Committee for the Implementation of
Textile Agreements – Room H3100
U.S. Department of Commerce
14th and Constitution Avenue, NW
Washington, DC 20230

Re: Commercial Availability Request
Polyester/spandex woven moleskin fabric, classifiable at 5407.92.2050,
5407.92.2090, 5407.93.2050, 5407.93.2090, 5407.94.2050, 5407.94.2090,
5512.19.0005, 5512.19.0045, 5512.19.0090, 5515.12.0040, and
5515.12.0090, HTSUS

Dear Mr. Priest:

On behalf of Glen River Trading (“Glen River”), 237 West 35th Street, New York, New York 10023, and pursuant to Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement (“CAFTA-DR”) Implementation Act and the Committee for Implementation of Textile Agreements (“CITA”) Final Procedures for submitting Commercial Availability Requests,¹ we request that certain polyester/spandex woven moleskin fabric classifiable at 5407.92.2050, 5407.92.2090, 5407.93.2050, 5407.93.2090, 5407.94.2050, 5407.94.2090, 5512.19.0005, 5512.19.0045, 5512.19.0090, 5515.12.0040, and 5515.12.0090, Harmonized Tariff Schedule of the United States (“HTSUS”), be added to the Short Supply List at U.S. Note 20(a) to Chapter 98, Subchapter XXII, HTSUS (“the Short Supply List”).

¹ Final Procedures for Considering Requests Under the Commercial Availability Provisions of the Dominican Republic-Central America-United States Free Trade Agreement, 72 Fed.Reg. 13,256 (Comm. for the Implementation of Textile Agreements (March 15, 2007)).

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I. Detailed Product Information

The subject of this request is certain woven fabric of polyester and spandex. After the fabric is woven but while it is still in a greige state, the fabric is double brushed to give the surface of the fabric face a soft, almost fuzzy texture. Although the polyester yarn used to weave the subject fabric is 100 percent filament yarn, the brushing process breaks some of the filaments, and U.S. Customs and Border Protection considers such brushed fabrics to be classifiable as though the broken filaments were in fact staple fiber yarns. The fabric is brushed to create a certain "hand" or feel to the fabric, and the percentage of filament fiber that is broken during the brushing process can therefore vary. If less than half of the filaments are broken during the brushing process, the fabric remains classifiable under heading 5407 as a fabric of synthetic filament fibers. If, on the other hand, the brushing is more extensive and more than half of the filaments are broken, the fabric is classified under heading 5515 as a fabric of synthetic staple fibers. Within those two HTSUS headings, classification will also vary depending upon whether the fabric is printed or dyed, and upon the type of fabric weave (satin, twill, or other).

The fabric specifications below, some of which are expressed in ranges, are identical to those originally proposed in our due diligence Request Letter:

<i>Fiber content</i>	96 to 99 percent polyester; 1 to 4 percent spandex
<i>Yarn</i>	<ul style="list-style-type: none">• Warp: singles polyester filament of various yarn sizes• Filling: singles polyester filament of various yarn sizes combined with spandex filament of various deniers
<i>Thread count</i>	Metric: 55 to 71 warp ends by 23 to 37 filling picks per centimeter English: 140 to 180 warp ends by 60 to 95 filling picks per inch
<i>Weave type</i>	Various (including satin or twill)
<i>Weight</i>	Metric: 210 to 275 grams per square meter English: 6.2 to 8.1 ounces per square yard
<i>Width</i>	Metric: 109 to 152 centimeters English: 43 to 60 inches
<i>Buffing</i>	Double brushed in the greige

<i>Finish</i>	Jet dyed or printed
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A sample of both the dyed fabric and the printed fabric are enclosed with this filing. Additional samples are available upon request.

II. Quantity

Glen River will require a total of 1,000,000 yards (914,400 meters) of printed fabric and 1,000,000 yards (914,400 meters) of dyed fabric, at a rate of 200,000 yards (182,880 meters) of each per month. Glen River will require an initial delivery of 400,000 yards (365,760 meters), half printed and half dyed, on February 1, 2008, with further deliveries of 400,000 yards (365,760 meters) on March 1, April 1, May 1 and June 1, 2008.

III. Due Diligence

In performing the due diligence requirements of CITA's Final Procedures, Glen River contacted a number of industry sources that it identified by consulting Davison's Textile Blue Book online, <http://www.davisonbluebook.com/textilebluebook>, a comprehensive, searchable Internet database of manufacturers in the textile and apparel industry, and by researching companies not identified in Davidson's publication but listed as potential suppliers in other commercial availability petitions filed under CAFTA-DR. Glen River also consulted trade associations from the various CAFTA-DR countries. Glen River was unable to locate a source for the required fabrics.

We have identified below those entities to which we sent a letter on September 7 via email², inquiring about the availability of the subject fabric. The table below summarizes the responses received. Copies of all correspondence relative to Glen River's search, including an example of Glen River's Request Letter, an example of its blank Response Form, and copies of all completed responses returned to Glen River, are attached. (Attachment A). We request confidential treatment of all attachments.

Sources Contacted	Response
Sources in the United States	
Alice Manufacturing Co. Brad Wurst bwurst@alicemillsinc.com	Alice Mills responded via email on September 26 and indicated that it is not a potential manufacturer of the requested fabric.

² The attachment to our September 7 email may not have reached the recipients. We therefore resent our email on September 10. The letter and response form included in Attachment A are those that we sent via email on September 10.

Hamrick Mills, Inc. semmerth@hamrickmills.com	Hamrick Mills responded via email on September 11 and indicated that it does not produce a polyester/spandex moleskin fabric.
Inman Mills Benjamin Truslow BTruslow@inmanmills.com	The September 7 email to sales@inmanmills.com was undeliverable. We faxed our letter and response form on September 14. We received no response to our fax, and no response to our September 25 email to BTruslow@inmanmills.com .
International Textile Group Frank Bakirdan, Vice President of Sales info@itg-global.com	Pat Palmer responded via email on October 26 that the company does not have an interest in this particular product.
Milliken & Co. Kathi Dutilh kdutilh@milikendc.com	Milliken & Company responded via email on September 12 and indicated that it is not in a position to offer the fabric at this time.
New River Industries (t/a Texfi Industries) Cindy Pittman cpittman@nrbindustries.com	We received no response to either our September 7 or our September 25 email.
Schneider Mills, Inc. George Shtohryn, Senior Vice President schmills@bellatlantic.net	The September 7 email to schmills@bellatlantic.net was undeliverable. We faxed our letter and response form on September 14. We received no response to our fax.
National Coalition of Textile Organizations Mike Hubbard mhubbard@ncto.org	The National Coalition of Textile Organizations responded via email on September 10, promising to forward the letter and response form to its fabric producers. We received a response from Mount Vernon Mills via email on September 11 indicating that it cannot produce the fabric. We received no other responses.
American Manufacturing Trade Action Coalition Augustine Tantillo, Executive Director atantillo@amtacdc.org	We received no response to either our September 7 or our September 25 email.
National Textile Association	We received no response to either our

David Trumbull, Director, Member Services dtrumbull@nationaltextile.org	September 7 or our September 25 email.
American Apparel Producers' Network Mike Todaro, Managing Director source@aapnetwork.net	American Apparel Producers' Network responded via email on September 26 and indicated that it would not be able to broadcast our message until October 1. We received no other responses.
Sources in Guatemala	
Amtex Guatemala, S.A. Adrian Hernandez Adrian@prideguatemala.com	We received no response to either our September 7 or our September 25 email.
Broadcloth Roberto Gonzalez textile@guate.net	Jose Habie returned our response form on October 12 and said that the company can produce the fabric but that it has no availability in 2008.
Hilos y Telas, S.A. Roberto Antonio Malouf ramalouf@hilosytelas.com	Antonio Malouf returned our response form on October 15 stating that Hilos y Telas can produce the fabric but only for delivery in 2009 after some machinery implantations that will take place in 2008.
Grupo Imperial Robert Zaid textiles@imperialtex.com	We received no response to either our September 7 or our September 25 email.
Jung Woo Textiles Ines Lee jungwoo@jungwootextile.com	We received no response to either our September 7 or our September 25 email.
Megatextil's Sung Deok Kim megatextiles@hanmail.net	We received no response to either our September 7 or our September 25 email.
Modas Alpha / World Fama (II) Hak Rae Kim Kim alphatextil@intelnett.com Fax: (502) 7882-7357	The September 7 email was undeliverable. We attempted to fax our letter and response form to Modas Alpha on September 14, but the fax transmission failed.
Monte Textil S.A. Juan Carlos Castaneda, Export Manager juancarlos@texisur.com	Monte Textil responded via email on September 10 and indicated that it cannot produce the fabric.
Selim Guatemala, S.A.	We received no response to either our

Young Jong Han jlpereac@hotmail.com	September 7 or our September 25 email.
Supra Textiles Raul Ibarguen, General Manager rigs@itelgua.com	We received no response to either our September 7 or our September 25 email.
Textiles Amatitlan, S.A., aka Industrias Liztex Jose Habie textil@liztex.com	Jose Habie returned our response form on October 12 and said that the company can produce the fabric but that it has no availability in 2008.
Viva Mundo Textil Soo Joong Kang vivamundotextil@hotmail.com	We received no response to either our September 7 or our September 25 email.
Guatemala Apparel and Textile Industry Commission (Vestex) Ligia Barrios, Promotion and Marketing lbarrios@apparel.com.gt	We received no response to either our September 7 or our September 25 email.
Sources in Nicaragua	
The Nicaraguan Apparel & Textile Manufacturers Association (Anitec) Carlos Sandino, President nicaind@aol.com	We received no response to either our September 7 or our September 25 email.
Sources in El Salvador	
Industrias Sinteticas de C.A.S.A. Maki Uchida, Manager of Sales insinca@insinca.com	We received no response to either our September 7 or our September 25 email.
Industrias Unidas, S.A. Guillermo Enrique Vila Guillermo.vila@iusa.com.sv	We received no response to either our September 7 or our September 25 email.
Martinez y Saprissa, S.A. de C.V. (MARYSA) Luis Sera Escartin, General Manager ventasmarysa@integra.com.sv	We received no response to either our September 7 or our September 25 email.
Mauricio Arturo Orellana Equizabel Mauricio Arturo Orellana, General Manager confecsa@hotmail.com	The September 7 email was undeliverable. We resent the email on September 14 and September 25. We received no response to either email.
Union de Industriales Textiles (Unitex) Ingrid Burgos, Executive Director	The September 7 email was undeliverable. We resent the email on September 14 and

Unitex_gg@telesal.net	September 25. We received no response to either email.
Sources in Honduras	
Elcatex Jesus Canahuati chuy@elcatex.com	We received no response to either our September 7 or our September 25 email.
RLA Manufacturing, S. de R.L. Philip Holloway garciaedy@russellcorp.com	We received no response to either our September 7 or our September 25 email.
Sky Textile Honduras, S.A. Agnes Seow, Manager agnes_seow@oceanskyintl.com	We received no response to either our September 7 or our September 25 email.
Textiles Rio Lindo Karen I. Facusse, Manager kfacusse@riolindo.hn	Textiles Rio Lindo responded via email on September 11 and indicated that it cannot produce the fabric.
Woon Chun Honduras, S.A. de C.V. Dong Su Sin padrino@woongchun.com	We received no response to either our September 7 or our September 25 email.
Honduran Manufacturers Association Angela Castillo, Promotion promocion@ahm-honduras.com	Angela Castillo responded via email on September 10 and provided a list of all of the fabric producers in the Honduran Manufacturers Association. Angela Castillo indicated in her email that all of the fabric mills produce knits. We sent our letter and response form via email to two producers that appeared to be potential producers of the fabric (Shin Sung Honduras and AKH). We received no response from either manufacturer.

The information above demonstrates that the existing CAFTA-DR industry is unable to provide the fabric requested in the quantities required and within the given time constraints.

IV. Substitutable Products

Glen River is unaware of any suitable substitute for the subject polyester/spandex woven fabric. Glen River uses this fabric to produce women's trousers, skirts, and jackets. Purchasers of this fabric and of apparel made with this fabric demand fabric of the specified construction. In particular, the double brushing process that the fabric undergoes is essential to creating a fabric with the loft and hand that this fabric exhibits, and retail demand requires that the fabric be available in both printed and dyed finishes.

V. Conclusion

In conclusion, we believe the foregoing firmly establishes that the polyester/spandex woven fabric that Glen River seeks cannot be timely provided in commercial quantities from producers that form and finish the fabric in CAFTA-DR Parties with yarn formed in CAFTA-DR Parties. Accordingly, we request that CITA add this fabric to the Short Supply List in accordance with Section 203(o)(4) of the CAFTA-DR Implementation Act.

Thank you in advance for your thoughtful consideration of this matter. If CITA is in need of any additional information regarding this request, please contact Jon Fee at (202) 756-3387 or jon.fee@alston.com, or BJ Shannon at (202) 756-3344 or bj.shannon@alston.com.

Sincerely,

/s/ BJ Shannon

BJ Shannon

Attachments

cc: Mr. Jonathan M. Fee, Alston & Bird LLP

LEGAL COUNSEL'S DUE DILIGENCE CERTIFICATION

I, BJ Shannon, of Alston & Bird LLP, counsel to Glen River Trading, certify that:

1. I have read the attached submission.
2. Based on the information made available to me by James Gutman, I have no reason to believe that this submission contains any material misrepresentation or omission of fact.

Signed: /s/ BJ Shannon
BJ Shannon

Date: 10/26/2007

INTERESTED ENTITY'S DUE DILIGENCE CERTIFICATION

I, James Gutman, President of Glen River Trading, certify that:

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

Signed: /s/ James Gutman
James Gutman

Date: 10/26/2007

ATTACHMENT A

CONFIDENTIAL

Contents: Copies of Glen River's Request Letter and blank Response Form, and copies of responses to Glen River, as described in the foregoing letter.