



Consulting and Government Affairs Practice
Ten G Street, NE, Suite 710
Washington, DC 20002
Telephone: 202.248.5090
Fax: 202.289.6539
www.ssa-dc.com

COMMERCIAL AVAILABILITY REQUEST

-- PUBLIC VERSION --

May 15, 2009

Chair, Committee for the Implementation of Textile Agreements
Office of Textiles and Apparel, Room H3100
U.S. Department of Commerce
14th 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

On behalf of Cintas Corporation ("Cintas"), and 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"), Sorini, Samet & Associates, LLC ("SS&A") requests that the fabric described herein ("subject fabric") be added to the list in Annex 3.25 of CAFTA-DR in an unrestricted quantity.

Russell Corporation ("Russell") of Alabama used to supply the subject fabric to Cintas, where it was manufactured into uniform apparel in Central America and then imported into the United States as an originating good under the rules of origin of CAFTA-DR. Russell notified Cintas that it is no longer taking orders.

With the Russell supply terminated, the subject fabric is not currently available in commercial quantities in a timely manner from a supplier in the CAFTA-DR countries. Cintas and SS&A made this determination after a thorough exploration of the market in CAFTA-DR countries in an attempt to secure the fabric from potential suppliers. It is following a good faith effort to secure the fabric that Cintas and SS&A submit this commercial availability request.

I. DETAILED PRODUCT DESCRIPTION

All figures listed are in metric units:

Fabric Type	Yarn Dyed Plaid Poplin
Fiber Content	64% to 67% polyester; 33% to 36% cotton
Yarn Size, Warp	Ring spun 49/1 to 53/1 metric: 64% to 67% polyester; 33% to 36% cotton
Yarn Size, Filling	Ring spun 49/1 to 53/1 metric: 64% to 67% polyester; 33% to 36% cotton
Thread Count	34.5 to 38 ends x 21 to 23 picks per centimeter
Weave Type	Plain
Fabric Weight	127 to 140 grams per square meter
Fabric Width	156 to 170 centimeters, cuttable
Coloration	Warp stripes, filling yarns dyed multiple colors
Finishing Processes	Moisture management, pre-cure permanent press, 10% mechanical stretch in filling direction
HTSUS	5513.31

II. QUANTITY

Cintas requires [[***]] to [[***]] square meters per month.

III. DUE DILIGENCE

Cintas received notification that Russell is not longer supplying the fabric. A copy of the notice is provided within Appendix I of the confidential version of this submission.

SS&A and Cintas made inquiries to potential suppliers of the subject fabric in the United States and the CAFTA-DR countries. The list of companies was compiled (A) through Cintas's experience doing business in the CAFTA-DR region, (B) through the 2008 Davison Salesman Blue Book, and (C) through the contact mechanisms of U.S. and Central American textile and apparel trade associations. These efforts did not result in identifying any parties that were able to supply the subject fabric in the time and quantities required by Cintas.

One party, Industrias Liztex (10), responded to the due diligence inquiries with an interest to supply the subject fabric. Cintas contacted Liztex directly (April 20) to request information necessary to determine whether Liztex had the capability to supply the subject fabric. A copy of the letter, in the form of an email attachment, can be found in Appendix II of the confidential version of this submission. Cintas then followed up on the contact on two separate occasions (April 28 and May 13), but Liztex was non-responsive to Cintas's contacts.

Two parties, Mount Vernon Mills (9) and Swift Galey (8), informed SS&A and Cintas that while they were not able to supply the subject fabric, the companies had made respective offers to acquire the Russell operation and assume its production portfolio. Ultimately, Mount Vernon Mills ended communication regarding its potential acquisition of Russell, and Swift Galey informed Cintas that it was no longer proceeding with its potential acquisition of Russell.

The following information sets forth the firms and associations that were contacted with regard to whether they could supply the fabric within the specifications described in Section I of this submission. Confirmations of the contacts are provided in Appendix III of the confidential version of this submission. All communications were conducted via e-mail unless otherwise noted.

(1) Association: National Textile Association, NTA

Contact: David Trumbull - Director, Members Services:
dtrumbull@nationaltextile.org
Address: 6 Beacon Street, Suite 1125, Boston, MA 02108
Phone: (617) 542-8220
Date Contacted: February 12, 2009
Nature of Request: Inquiry to members' ability to supply subject fabric, and request for potential suppliers' contact information.
Sample Provided: No
Reply and Date: February 12, 2009: Circulated to membership.

(2) Association: National Council of Textile Organizations, NCTO

Contact: Mike Hubbard, Vice President: mhubbard@ncto.org
Address: P.O. Box 99 – Gastonia, NC 28053
Phone: (704) 824-3522
Date Contacted: February 12, 2009
Nature of Request: Inquiry to members' ability to supply subject fabric, and request for potential suppliers' contact information.
Sample Provided: No
Reply and Date: February 12, 2009: Circulated to membership.

(3) Association: American Manufacturing Trade Action Coalition, AMTAC

Contact: Sarah Ormond, Director of International Trade:
sormand@amtacdc.org

Address: 910 16th St. NW, Washington, DC 20006
Phone: (202) 452-0866
Date Contacted: February 12, 2009
Nature of request: Inquiry to members' ability to supply subject fabric, and request for potential suppliers' contact information.
Sample Provided: No
Reply and Date: February 12, 2009: Circulated to membership.

(4) Association: Honduran Manufacturers Association

Address: Edificio Yde Canahuati 3er y 4to Piso, Avenida Circunvalacion, S.O., San Pedro Sula, Cortes, Honduras, C.A.
Phone: (504) 556-5526
Contact: Astrid Barnica, Client Services:
servicioalcliente@ahm-honduras.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry into members' ability to supply subject fabric, and request for potential suppliers' contact information.
Sample Provided: No
Reply and Date: February 13, 2009: Circulated to membership.

(5) Association: Nicaraguan Textile & Apparel Manufacturers Association (ANITEC)

Address: Zona Franca "Las Mercedes" km 12 ½ Carretera Notre Managua Nicaragua
Phone: (505) 421-8984
Contact: Dean Garcia Foster, Executive Director: director@anitec.net
Date Contacted: February 12, 2009
Nature of Request: Inquiry into members' ability to supply subject fabric, and request for potential suppliers' contact information.
Sample Provided: No
Follow up: March 6, 2009: Inquiry into members' ability to supply subject fabric, and request for potential suppliers' contact information.
Reply and Date: March 9, 2009: Replied that no members had yet replied to the inquiry.

(6) Association: Camara de la Industria Textil y de la Confeccion de El Salvador (CAMTEX)

Address: Calle Liverpool y Calle Roma, edif. ASI. Col. Roma San Salvador, El Salvador
Phone: (503) 2245-3540
Contact: Ingrid Burgos, Director: iburgos@camtex.com.sv
Date Contacted: February 12, 2009
Nature of Request: Inquiry into members' ability to supply subject fabric, and request for potential suppliers' contact information.
Sample Provided: No

Follow up: March 6, 2009: Inquiry into members' ability to supply subject fabric, and request for potential suppliers' contact information.
Reply and Date: March 6, 2009: Burgos replied that there are two companies that have the capacity to make the subject fabric.
Reply and Date: March 6, 2009: SS&A asked Burgos to send contact information for the two companies.
Reply and Date: March 6, 2009: Burgos replied that the companies "prefer to wait the investigation of the government's office in charge."
Reply and Date: March 6, 2009: SS&A asked to which Government and investigation Burgos referred.
Reply and Date: March 6, 2009: Burgos replied that she did not have further information.

(7) Company: Milliken & Company

Address: PO Box 1926, Spartanburg, SC 29304
Phone: (864) 503-2020
Contact: Kathi Dutilh - Manager, Government Relations:
kdutilh@millikenc.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Reply and Date: February 17, 2009: Milliken replied that they do not make yarn-dyed poly/cotton fabrics, but they have a process that can add pattern to a fabric after weaving.
Reply and Date: February 25, 2009: SS&A responded that the client requires a yarn-dyed product because the specific end uses require a durability and appearance that can only be achieved through yarns dyed prior to weaving.
Reply and Date: February 26, 2009: Milliken replied that they do not anticipate getting back into the yarn dyed business, and will not respond to this request to supply.

(8) Company: Swift Gale

Address: Five Concourse Parkway, Suite 2300, Atlanta, GA 30328
Phone: (770) 901-6300
Contact: Richie Holbert, Director of Product Development:
rhobert@glacyswift.com
Gary Bird, Sales Contact: gbird@swiftgaley.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Reply and Date: February 12, 2009: Holbert asked if Swift could use imported fabric for the production.

Reply and Date: February 12, 2009: SS&A replied that the fabric was intended for use in apparel production in CAFTA-DR countries, and must comply with the rules of that agreement.

Reply and Date: February 12, 2009: Holbert thanked SS&A for the prompt reply.

Follow up: March 6, 2009: SS&A followed up to clarify that Swift Galey did not have an interest in supplying the subject fabric.

Reply and Date: March 9, 2009: Holbert said Swift Galey is interested in supplying the subject fabric.

Reply and Date: March 9, 2009: SS&A replied that the client would contact Swift, and asked whether the yarns/fabrics would be CAFTA-DR compliant.

Reply and Date: March 9, 2009: Holbert responded that the fabrics would be NAFTA and CAFTA-DR qualified.

Reply and Date: March 11, 2009: Cintas contacted Richie Holbert at Swift Galey directly to acknowledge Swift's expressed interest to supply the fabric, and requested from Holbert specific information regarding Swift's past experience producing the fabric, and specific questions about Swift's production capability to provide a finished fabric to the required specifications in compliance with rules of CAFTA-DR.

Reply and Date: March 13, 2009: Holbert replied that he is finalizing the information, and should have the answers to Cintas's questions by Friday, March 20th.

Follow up: March 24, 2009: Cintas followed up the request for information.

Reply and Date: March 25, 2009: Gary Bird of Swift replied, informing Cintas that Galey & Lord is in the final stages of potentially making an offer to take over the Russell operation, and once final review is complete they will advise.

Reply and Date: March 25, 2009: Cintas asked they Swift advise as soon as possible.

Reply and Date: April 6, 2009: Bird notified Cintas that Swift Galey had retracted the offer to buy Russell.

(9) Company: Mount Vernon Mills, Inc.

Address: 91 4th Street, PO Box 7, Tion, GA 30753

Phone: (706) 734-2311

Contact: Rich Turner, President – Apparel Fabrics: rich@mvmills.com

Date Contacted: February 12, 2009

Nature of Request: Inquiry to ability to supply subject fabric.

Sample Provided: No

Reply and Date: February 12, 2009: Richard Turner left a voicemail for SS&A.

Reply and Date: February 13, 2009: SS&A connected with Turner by telephone. Turner explained that MVM does not have the capability to

produce the subject fabrics, but MVM is currently in talks with Russell Mills to acquire the operations that can produce the subject fabrics. Turner said MVM should know within two weeks whether the acquisition will take place, and will be in touch on this subject.

Reply and Date: No further contact from the company.

(10) Company: Industrias Liztex

Address: Parques del Lago Km 30.5, Ruta al Pacifico Amatitlan, Guatemala
Phone: (502) 6633-6550
Contact: Saul Mishaan, Sales Contact: saul@liztex.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Follow up: February 25, 2009: Inquiry to ability to supply the subject fabric.
Follow up: April 14, 2009: Inquiry to ability to supply the subject fabric.
Reply and Date: April 15, 2009: Saul Mishaan replied that Liztex is interested in, and has the capability to produce, the subject fabric.
Reply and Date: April 20, 2009: Cintas contacted Liztex directly to acknowledge Liztex's expressed interest to supply the fabric, and requested from Mishaan specific information regarding Liztex's past experience producing the fabric, and specific questions about Liztex's production capability to provide a finished fabric to the required specifications in compliance with rules of CAFTA-DR.
Follow up: April 28, 2009: Cintas followed up on its inquiry to Liztex of April 20, requesting specific information regarding Liztex's ability to supply the subject fabric.
Follow up: May 13, 2009: Cintas followed up on its inquiries to Liztex of April 20 and April 28, requesting specific information regarding Liztex's ability to supply the subject fabric.
Reply and Date: No response from company.

(11) 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
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Follow up: February 25, 2009: Inquiry to ability to supply subject fabric.
Reply and Date: No response from company.

(12) Company: Wade Manufacturing

Address: 76 Mill St Wadesboro, NC, 28170-2410
Phone: (704) 694-2437
Contact: Vera Moore, Sales Contact: veragmoore@bellsouth.net
Date Contacted: March 6, 2009: SS&A left voicemail.
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Reply and Date: March 9, 2009: Moore left voicemail.
Reply and Date: March 13, 2009: SS&A left voicemail.
Reply and Date: March 17, 2009: Moore left voicemail with email contact info.
Reply and Date: March 23, 2009: Email inquiry to ability to supply the subject fabric.
Follow up: March 25, 2009: Voicemail: Inquiry to ability to supply subject fabric.
Follow up: March 30, 2009: Email inquiry to ability to supply the subject fabric.
Reply and Date: March 31, 2009: Moore replied that Wade is not interested in supplying the fabric.

(13) Company: Alice Mills, Inc

Address: P.O. Box 369, Easley, SC 29641
Phone: (864) 859-6323
Contact: Eric Nees, VP: encees@alicemillsinc.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Reply and Date: February 12, 2009: Not capable of producing yarn-dyed fabrics.

(14) Company: Inman Mills

Address: 300 Park Road, PO Box 207, Inman, SC 29349
Phone: (864) 472-0252
Contact: Ben Truslow, Sales Contact: btruslow@inmanmills.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Follow up: February 25, 2009: Inquiry to ability to supply subject fabric.
Reply and Date: February 25, 2009: Truslow replied that they are looking into it.
Follow up: March 6, 2009: SS&A followed up on inquiry to Inman's ability to supply the subject fabric.
Reply and Date: March 6, 2009: Truslow replied that Inman is still looking into the inquiry, and asked SS&A to resend the specifications, with volume figures.

Reply and Date: March 6, 2009: SS&A sent Inman the subject fabric specifications again, and asked if there were additional specifications that would be helpful.

Follow up: March 23, 2009: SS&A followed up on the order inquiry.

Reply and Date: No further response from the company.

(15) Company: Industrias Sinteticas de Centro America

Address: Km 12.5 Carr Troncal de Notre, Apopa
San Salvador, El Saldavor

Phone: (503) 2216-0055

Contact: Oscar Uvidal Palma, Production Manager: info@insinca.com

Date Contacted: February 12, 2009

Nature of Request: Inquiry to ability to supply subject fabric.

Sample Provided: No

Follow up: February 25, 2009: Inquiry to ability to supply subject fabric.

Reply and Date: No response from company.

(16) Company: Weavetec, Inc.

Address: 124 N. Charleston Street, PO Box 579, Blackburg, SC 29702

Phone: (864) 839-9660

Contact: Harold Pennington, Jr., VP Manufacturing:
haroldjr@weavetec.com

Date Contacted: February 12, 2009

Nature of Request: Inquiry to the ability to supply subject fabric.

Sample Provided: No

Reply and Date: February 13, 2009: Cannot produce fabric with single warp yarn.

(17) Company: Hilos y Telas, S.A.

Address: 34 Calle 7-42 Zona 11, Colonia Las Charcas, Guatemala

Phone: (502) 2423-7400

Contact: Antonio Malouf, Sales Contact: ramalouf@hilosytelas.com

Date Contacted: February 12, 2009

Nature of Request: Inquiry to ability to supply subject fabric.

Sample Provided: No

Follow up: February 25, 2009: Inquiry to ability to supply subject fabric.

Reply and Date: No response from company.

(18) Company: Molintex Mills, Inc.

Address: 9 Davison Ave, Jamesburg, NJ 08831

Phone: (732) 521-2500

Contact: Kathleen Beeg, VP: kbeeg@molintexmills.com;
dmolineux@molintexmills.com

Date Contacted: February 12, 2009

Nature of Request: Inquiry to ability to supply subject fabric.

Sample Provided: No
Follow up: February 25, 2009: Inquiry to ability to supply subject fabric.
Reply and Date: No response from company.

(19) Company: Hamrick Mills

Address: 515 West Buford Street, PO Box 48, Gaffney SC 29342
Phone: (864) 439-4731
Contact: Carlisle Hamrick, President: wchamrick@hamrickmills.com
Date Contacted: February 12, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Reply and Date: February 12, 2009: Not currently set up to weave yarn-dyed yarns.

(20) Company: Birla Cellulose

Address: Century Bhavan, 3rd Floor, Dr Annie Besant Road, Worli, Mumbai 400 030, India
Phone: +91 97020 47283
Contact: Manohar Samuel, Sr. Vice President: manohar.samuel@adityabirla.com
Date Contacted: February 15, 2009
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Reply and Date: February 15, 2009: NTA (1) put Birla in touch with SS&A regarding the inquiry, and Birla asked SS&A if it could supply the fabrics through Mumbai.
Reply and Date: February 19, 2009: SS&A informed Birla that the fabrics must conform with the rules of origin for CAFTA-DR.
Reply and Date: February 23, 2009: Birla responded that the yarns or fabrics would be from India.
Reply and Date: February 25, 2009: SS&A thanked Birla for its interest, but the client cannot proceed with the inquiry because the products would not qualify.

(21) Company: Copeland Industries

Address: N Graham-Hopedale Road, PO Box 1208, Burlington, NC 27216
Phone: (336) 226-0272
Contact: Jason Copeland, Purchasing Contact: jason.copeland@copelandfabrics.com
Date Contacted: February 23, 2009: Copeland was referred to SS&A by AMTAC (3).
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No

Reply and Date: March 3, 2009: Copeland responded that it does not know where the subject fabric could be woven, but Copeland has experience in finishing similar fabrics. Copeland put SS&A in touch with a converter, Shek Rosenblum Textiles (23).

(22) Company: Shek Rosenblum Textiles
Address: 1 W 34th St Rm 704, New York, NY 10001
Phone: (212) 947-6800
Contact: Carol Rosenblum, Sales Contact: carolr@srstextiles.com
Date Contacted: March 3, 2009: Shek Rosenblum was referred to SS&A by Copeland (22).
Nature of Request: Inquiry to ability to supply subject fabric.
Sample Provided: No
Follow up: March 25, 2009: Inquiry to ability to supply subject fabric.
Reply and Date: No response from company.

As a result of the above inquiries, SS&A and Cintas do not believe that the subject fabric is available in the CAFTA-DR region and we request that it be added to Annex 3.25.

IV. SUBSTITUTABLE PRODUCTS

The subject fabric is a ring-spun, woven polyester/cotton blend, with a unique combination of finishing processes and chemistries, which are critical for the end-use of industrial, career and work uniforms. For the end-use described, other fabrics of different fibers, yarn types, thread counts, or weaves, and without the exact combination of spinning, weaving and finishing processes, cannot substitute the requested fabric. Cintas requires that the subject fabric meet the specifications outlined in Section I of this submission in order to achieve the proper life-cycle performance in the work setting as well as in repeated harsh commercial processing.

V. CLOSING

If you have any questions or require further information with regard to this request, please contact Keith Jenkins at (202) 248-5090, or kjenkins@ssa-dc.com.

Sincerely,



Keith Jenkins
Director of Government Affairs

MAY 15, 2009
Date