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## COMMERCIAL AVAILABILITY REQUEST

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- - PUBLIC VERSION - -

February 7, 2013

Ms. Kim Glas  
Chair, Committee for the Implementation of Textile Agreements  
Office of Textiles and Apparel  
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

Dear Ms. Glas,

On behalf of Patagonia, Inc. (“Patagonia”) and pursuant to Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement (“CAFTA-DR”) Implementation Act and the Final Procedures set forth in 73 Fed. Reg. 53200 (September 15, 2008), Sorini, Samet & Associates, LLC (“SSA”) requests that the fabric described herein be added to the list in Annex 3.25 of CAFTA-DR in an unrestricted quantity.

### **I. Detailed Product Description**

<b>Overall Fabric Information:</b>	
Overall fabric description	Laminated polyester woven/ micro velour grid one-way stretch with polyurethane laminate
Construction	Woven face/ polyurethane laminate/ circular knit velour with grid pattern

Overall fiber content	90% to 96% polyester / 4% to 10% spandex (includes both face and backer fabric)
Overall weight	287 to 351 grams per square meter
Overall width	Selvedge: 150.4 to 154.4 centimeters Minimum cuttable: 145.3 to 149.3 centimeters
Finishing	Bonded laminate with durable water repellency on the face fabric, and optional on back
Performance criteria for overall fabric	Air permeability (ASTM D737): maximum 1.5
	Durable water repellency (AATCC 22): greater than or equal to 80 before wash
HTS	6001.22.0000 or 6001.92.0000
<b>Face Fabric Details:</b>	
Construction	Plain weave
Fiber content	81% to 87% polyester / 13% to 19% spandex
Warp fiber content/Denier	73 to 77 Denier polyester + 39 to 41 Denier spandex
Filling fiber content/Denier	73 to 77 Denier polyester + 39 to 41 Denier spandex
Characteristics of yarns	Corespun spandex (filament)
Thread count	49 to 52 picks per centimeter x 43 to 45 picks per centimeter
Weight	121.5 to 148.5 grams per square meter
Width	Selvedge: 150.4 to 154.4 centimeters Minimum cuttable: 145.3 to 149.3 centimeters
Coloration	Piece dyed
Finishing	Bonded laminate with durable water repellency

Other special characteristics	2-way stretch
<b>Backer Fabric Details:</b>	
Construction	Circular knit with a dropped stitch for the grid – brushed loop pile
Fiber content	100% Polyester
Warp fiber content/Denier	145 to 155 Denier polyester
Filling fiber content/Denier	73 to 77 Denier polyester
Characteristics of yarns	Filament
Knitting gauge	27 to 29
Weight	140.4 to 171.6 grams per square meter
Width	Selvedge: 150.4 to 154.4 centimeters Minimum cuttable: 145.3 to 149.3 centimeters
Coloration	Piece dyed
Finishing	Optional bonded laminate with durable water repellency
Performance criteria	Pilling (ASTM D3512): minimum 3
Other special characteristics	Grid pattern
<b>Laminate:</b>	
Description and performance	Bonded laminate with durable water repellency (air permeability maximum 1.5 per ASTM D737).
<b>Notes:</b>	
Ranges	Ranges in these specifications reflect a tolerance from the target figures of up to three percent for fiber content, yarn size, and thread count; up to ten percent for weight; and up to five centimeters (two inches) for width.

Processing variations	The yarn size designations describe a range of yarn specifications for yarn before knitting, dyeing and finishing of the fabric. They are intended as specifications to be followed by the mill in sourcing yarn used to produce the fabric. Dyeing, finishing, and knitting can alter the characteristic of the yarn as it appears in the finished fabric. These specifications therefore include yarns appearing in the finished fabric as finer or coarser than the designated yarn sizes provided that the variation occurs after processing of the greige yarn and production of the fabric. The specifications for the fabric apply to the fabric itself prior to cutting and sewing of the finished garment. Such processing may alter the measurements.
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**II. Quantity**

Patagonia requires [\*\*\*] square meters, total, between [\*\*\*]; and, [\*\*\*] square meters, total, between [\*\*\*].

**III. Due Diligence**

SSA made the initial outreach to potential suppliers in the CAFTA-DR region via blind carbon copy (BCC) on an email inquiry. Follow-up contacts to non-responsive suppliers were also sent via BCC email. Any responses received from suppliers were engaged directly by SSA and/or Patagonia. U.S. trade associations and U.S. suppliers were sent an inquiry that addressed Patagonia’s interest to manufacture apparel under both the CAFTA-DR and U.S.-Colombia FTA. SSA sent potential suppliers electronic pictures and physical samples when requested.

One potential supplier, Gehring Tricot Corporation (“Gehring”), initially expressed interest in supplying the subject fabric, and from that point Patagonia continued the dialogue directly on a business-to-business basis. Gehring determined that it was not in a position to supply the fabric. Another potential supplier, Pettenati Centro America S.A. de C.V., stated that it could only produce one of the three layers of the subject fabric, and not the overall fabric. Ultimately, the due diligence efforts did not result in identifying any parties in the CAFTA-DR region that were able to supply the subject fabric.

The product description in Section I of this Request includes metric figures, as required under the CAFTA-DR commercial availability procedures. During due diligence inquiries, however, potential suppliers were provided with English

measurements, which are typically used for commercial purposes in the CAFTA-DR region. The English measurements provided to potential suppliers during the due diligence process can be found in Appendix I to this Request.

The product description specifications in Section I of this Request include ranges of values for fiber content, Denier, weight, width, knitting gauge, and thread count. These values are reflective of calculations made from tolerance percentages provided to potential suppliers during the due diligence process, which can be found in Appendix I to this Request.

The list of potential suppliers contacted during due diligence was compiled through (1) SSA's and Patagonia's knowledge and experience working with the industry in the region, (2) through the Davison's Textile Salesman's Blue Book, and (3) through the contact mechanisms of U.S. and Central American textile and apparel trade associations. A summary of engagement with regional trade associations is compiled in Appendix II to this Request, and a summary of engagement with regional suppliers is compiled in Appendix III to this Request. The original correspondence with regional suppliers is compiled in Appendix IV to the business confidential version of this Request.

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

SS&A and Patagonia are not aware of any supplier in the CAFTA-DR region that produces a substitutable fabric, and the potential suppliers contacted did not offer to supply a substitutable fabric during the due diligence process. The subject fabric will be used to manufacture high performance outdoor garments that must meet the demands of Patagonia's customers. Fabrics of other fibers, yarn types, and that do not meet the performance criteria, cannot substitute the requested fabric.

#### **V. Closing**

If you have any questions or require further information with regard to this Request, please contact Keith Jenkins at [kjenkins@ssa-dc.com](mailto:kjenkins@ssa-dc.com).

Sincerely,



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Keith A. Jenkins

February 7, 2013

Date

**APPENDIX I**

<b>General Fabric Information:</b>	
Generic fabric description	Laminated polyester woven/ micro velour grid one-way stretch with polyurethane laminate
Construction	Woven face/ polyurethane laminate/ circular knit velour with grid pattern
Overall fiber content	93% polyester / 7% spandex (includes both face and backer fabric), tolerance +/-3%
Overall weight	9.4oz/yd2 (319 g/m2), tolerance +/- 10%
Overall width	Selvedge: 60 inches, tolerance +/- 2 inches Minimum cuttable: 58 inches, tolerance +/- 2 inches
Finishing	Bonded laminate w/ durable water repellency on the face fabric, and optional on back
Performance criteria for overall fabric	Air permeability (ASTM D737) = maximum 1.5
	Durable water repellency (AATCC 22) greater than or equal to 80 before wash
Quantities & Delivery Dates	84,000 square yards total between February 2013 and July 2013; and 140,000 square yards total between September 2013 and April 2014.
<b>Face Fabric Details:</b>	
Construction	Plain weave
Fiber content	84% Polyester /16% Spandex, tolerance +/- 3%
Warp fiber content/denier	75 Denier polyester + 40 Denier spandex; tolerance +/- 3%
Filling fiber content/denier	75 Denier polyester + 40 Denier spandex; tolerance +/- 3%

Characteristics of yarns	Corespun spandex (filament)
Thread count	129 x 112 picks per inch, tolerance +/- 3%
Weight	4oz/yd <sup>2</sup> (135 g/m <sup>2</sup> ), tolerance +/- 10%
Width	Selvedge: 60 inches, tolerance +/- 2 inches Minimum cuttable: 58 inches, tolerance +/- 2 inches
Coloration	Piece dyed
Finishing	Bonded laminate with durable water repellency
Other special characteristics	2-way stretch
<b>Backer Fabric Details:</b>	
Construction	Circular knit with a dropped stitch for the grid – brushed loop pile
Fiber content	100% Polyester
Warp fiber content/denier	150 Denier polyester, tolerance +/- 3%
Filling fiber content/denier	75 Denier polyester, tolerance +/- 3%
Characteristics of yarns	Filament
Knitting gauge	28 minimum, tolerance +/- 3%
Weight	4.6oz/yd <sup>2</sup> (156 g/m <sup>2</sup> ), tolerance +/- 10%
Width	Selvedge: 60 inches, tolerance +/- 2 inches Minimum cuttable: 58 inches, tolerance +/- 2 inches
Coloration	Piece dyed
Finishing	Optional bonded laminate with durable water repellency
Performance criteria	Pilling (ASTM D3512) = minimum 3
Other special characteristics	Grid pattern
<b>Laminate:</b>	

Description	Bonded laminate with durable water repellency (air permeability maximum 1.5 per ASTM D737).
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## APPENDIX II

<b>National Textile Association (NTA)</b>	
Contact	David Trumbull, Director, Members Services: dtrumbull@nationaltextile.org
Address	6 Beacon Street, Suite 1125, Boston, MA 02108
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
January 30, 2013	NTA circulated to its membership

<b>National Council of Textile Organizations (NCTO)</b>	
Contact	Mike Hubbard, Vice President: mhubbard@ncto.org
Address	P.O. Box 99 – Gastonia, NC 28053
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 25, 2013	NCTO circulated to its membership

<b>American Manufacturing Trade Action Coalition (AMTAC)</b>	
Contact	Sarah Beatty, VP of International Trade: sbeatty@amtacdc.org
Address	910 16th St. NW, Washington, DC 20006
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 22, 2013	AMTAC circulated to its membership
January 31, 2013	AMTAC informed SSA that one of its members inquired about the name of SSA's client
February 4, 2013	SSA: client is not disclosing its name up front, but is willing to directly engage serious offers to supply

<b>Guatemala Apparel and Textile Association (VESTEX)</b>	
Contact	Andrea Hernandez, Membership Contact: ahernandez@apparel.com.gt
Address	15 Ave. 14-72 Zona 13, 2do. Nivel Guatemala City, Guatemala
Request	Industry fabric supply capability

Sample	No
January 22, 2013	Date of first contact by SSA
January 22, 2013	Vestex circulated to its membership

<b>Honduran Manufacturers Association (AHM)</b>	
Contact	Astrid Barnica, Contact: servicioalcliente@ahm-honduras.com
Address	Edificio Yde Canahuati 3er y 4to Piso, Avenida Circunvalacion, S.O., San Pedro Sula, Cortes, Honduras, C.A.
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
January 30, 2013	AHM circulated to its membership

<b>Nicaraguan Textile &amp; Apparel Manufacturers Association (ANITEC)</b>	
Contact	Dean Garcia Foster, Executive Director: director@anitec.net
Address	Zona Franca “Las Mercedes” km 12 ½ Carretera Notre Managua Nicaragua
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up

<b>Camara de la Industria Textil y de la Confeccion de El Salvador (CAMTEX)</b>	
Address	Calle Liverpool y Calle Roma, edif. ASI. Col. Roma San Salvador, El Salvador
Contact	Mauricio Ernesto Rodríguez, Coordinador Técnico – Comercial: mrodriguez@camtex.com.sv
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
January 30, 2013	CAMTEX responded that the inquiry was being examined by its membership

<b>Costa Rican Chamber of Textiles (CATECO)</b>	
Contact	Annia Segura, Director: asegura@textilescr.com
Address	Apartado 1512 – 1002 Pase de Estudiantes San Jose, Costa Rica
Request	Industry fabric supply capability

Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up

<b>Asociación Dominicana de Zonas Francas (ADOZONA)</b>	
Contact	Jose Torres, Executive Director, adozona@codetel.net.do
Address	AV. Sarasota #20, 4to. Piso, Torre Empresarial AIRD, Apartado Postal 3184 Santo Domingo, R.D.
Request	Industry fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up

**APPENDIX III**

**UNITED STATES SUPPLIERS**

<b>Carolina Specialty Fabrics</b>	
Contact	Gary Bowers, Sales Contact: gbowers@carolinaglovecompany.com
Address	28 North Caldwell Ave, Newton, NC 28658
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 23, 2013	Carolina is unable to supply the fabric

<b>Cooper Fabrics</b>	
Contact	Michael Cooper, Sales Contact: macooper@cooperfabrics.com
Address	349 Lenox St Norwood, MA 02062
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 22, 2013	Cooper cannot supply the fabric

<b>Galey &amp; Lord</b>	
Contact	Gary Bird, Sales Contact: gbird@gnl.com
Address	670 N. Main Street Society Hill, SC 29593
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: follow-up
No reply	

<b>Gehring Tricot Corporation</b>	
Contact	Bill Rowan, VP Business Development: browan@gehringtextiles.com
Address	1225 Franklin Avenue, Suite 300, Garden City, NY 11530
Request	Fabric supply capability
Sample	Yes
January 22, 2013	Date Gehring was referred to SSA by unknown third party
January 25, 2013	SSA sent samples to Gehring
January 30, 2013	Gehring informed SSA samples have not arrived. SSA sent tracking information, and informed Gehring samples were

	due to arrive on the 31 <sup>st</sup> . (The fabrics were actually delivered on the 30 <sup>th</sup> ).  A conference call was held to discuss Gehring’s ability to supply the fabric, [***]
January 31, 2013	A second conference call was held to discuss Gehring’s ability to supply the fabric, [***]
February 1, 2013	Bill Rowan of Gehring and Tony Ferguson of Patagonia spoke by telephone. Gehring informed Patagonia it was not in a position to supply the fabric. Gehring also sent an email to SSA to say it was not in a position to supply the fabric.

<b>Glen Raven Technical Fabrics, LLC</b>	
Contact	Rich Lippert, Sales Contact: rlippert@glenraven.com
Address	1831 N Park Ave Glen Raven, NC 27217
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
January 30, 2013	Glen Raven informed SSA that it does not supply the fabric, and referred SSA to W.L. Gore and Brookwood. SSA contacted W.L. Gore as part of the due diligence process, but not Brookwood because research determined that the company is a not a knitter or weaver – they are a fabric laminator and finisher.

<b>Inman Mills</b>	
Contact	Ben Truslow, Sales Contact: btruslow@inmanmills.com
Address	300 Park Road, PO Box 207, Inman, SC 29349
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: follow-up
No reply	

<b>Milliken &amp; Co.</b>	
Contact	Kathi Dutihl, Government Relations Manager: kdutihl@millikendc.com
Address	
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up

January 30, 2013	Milliken is unable to supply the fabric at this time
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<b>Mount Vernon Mills</b>	
Contact	Rich Turner, President – Apparel Fabrics: rich@mvmills.com
Address	91 4th Street, PO Box 7, Tion, GA 30753
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
No reply	

<b>Pearson Textiles</b>	
Contact	Mike Gonella, Sales Contact: pearsontextiles@windstream.net
Address	1420 Progress Ave. P.O. Box 2838 High Point, NC 27261
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contacted by SSA
January 23, 2013	Pearson is unable to supply the fabric at this time

<b>Polartec</b>	
Contact	Steve Cuthbert, Director of Sales: scuthbert@polartec.com
Address	46 Stafford Street, Lawrence, MA 01841
Request	Fabric supply capability
Sample	No
January 18, 2013	Date of first contact by SSA
January 22, 2013	Polartec is not interested in supplying

<b>Swisstex</b>	
Contact	Keith Dartley, President: keith@swisstexdirect.com
Address	13660 S. Figueroa St. Los Angeles, CA 90061
Request	Fabric supply capability
Sample	No
January 22, 2013	Date first contacted by SSA
January 30, 2013	SSA: Follow-up
No reply	

<b>Wade Manufacturing</b>	
Contact	Bernie Hodges, President: bmhodes@windstream.net
Address	76 Mill St, Wadesboro, NC 28170
Request	Fabric supply capability
Sample	No

January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
January 30, 2013	Wade: does not manufacture the fabric

<b>W.L. Gore &amp; Associates</b>	
Contact	Ian Pund, Account Manager: ipund@wlgore.com
Address	555 Paper Mill Road, Newark, DE 19711
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: Follow-up
No reply	

**CENTRAL AMERICAN & DOMINICAN REPUBLIC SUPPLIERS**

<b>Exportadora Textufil S.A. de C.V.</b>	
Contact	Elias Jorge Bahaias, General Manager: info@textufil.com Camila Bahia, Sales Contact: camila@textufil.com
Address	Blvd Del Ejercito Nacional y 12 Av Sur, Soyapango San Salvador, El Salvador, C.A.
Request	Fabric supply capability
Sample	Yes
January 22, 2013	Date of first contact by SSA
January 22, 2013	Textufil requests samples
January 25, 2013	SSA sent samples
February 4, 2013	SSA: Follow-up to notify Textufil that tracking confirms delivery of the samples. Textufil says package is at Customs, and will inform SSA when samples are retrieved and analyzed
February 5, 2013	Textufil: received samples and informed SSA it does not produce the fabric

<b>I.C.A.T., S.A. de C.V</b>	
Contact	Elsa Leticia Rivera, General Manager: icatsa@navegante.com.sv
Address	Zona Industrial Plan de La Laguna, Poligono G, lote 2, El Salvador
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA

January 30, 2013	SSA: Follow-up
No reply	

<b>Imperialtex</b>	
Contact	Miguel Azmitia, Sales Contact: Miguel.azmitia@imperialtex.com
Address	Calzada Roosevelt 34-21 zona 11, Guatamala
Request	Fabric supply capability
Sample	Yes (pictures)
January 22, 2013	Date of first contact by SSA
January 22, 2013	Imperialtex requested pictures and SSA sent pictures
January 23, 2013	Imperialtex is unable to supply the fabric
No reply	

<b>Industrias Liztex</b>	
Contact	Saul Mishaan, Sales Contact: saul@liztex.com
Address	Parques del Lago Km 30.5, Ruta al Pacifico Amatitlan, Guatemala
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 22, 2013	Liztex cannot supply the fabric

<b>Industrias St. Jacks, S.A. de C.V.</b>	
Contact	Sergio Siman, Sales Contact: ssiman@stjacks.com
Address	Zona Industrial La Laguna Antiguo Cuscatlan, Aptdo 2609 La Libertad, El Salvador
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: follow-up
No reply	

<b>Nemtex, S.A. de C.V.</b>	
Contact	Francisco Miguel, Sales Contact: f.m.reinhardt@nemtex.com
Address	Calle Antigua A San Antonio Abad, San Salvador, El Salvador
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: follow-up
No reply	

<b>Pettenati Centro America S.A. de C.V.</b>	
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Contact	Francisco Pilenga, Sales Contact: fpilenga@pettenati.com.sv
Address	KM 42 Carretera a Santa Ana Coatepeque, Aanta Ana, El Salvador
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 22, 2013	Pettenati cannot supply the fabric

<b>Rayones de El Salvador, S.A. de C.V.</b>	
Contact	Oscar Safie, Sales Contact: oscar-safie@rayones-hilaexport.com.sv
Address	Km. 11 Carr Panamericana, Ilopango, San Salvador, El Salvador
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: follow-up
No reply	

<b>Textiles Del Sur International, S.A./Monte Textil</b>	
Contact	Juan Carlos Castaneda, Manager: juancarlos@textisur.com
Address	KM. 18.5 Carretera Al Mayan Golf Club, Villa Nueva, Guatemala
Request	Fabric supply capability
Sample	No
January 22, 2013	Date of first contact by SSA
January 30, 2013	SSA: follow-up
February 5, 2013	Textisur: does not produce the fabric

**APPENDIX IV**

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