
COMMERCIAL AVAILABILITY REQUEST

-- PUBLIC VERSION --

March 10, 2014

Ms. Kim Glas
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 202(o) of the United States-Korea Free Trade Agreement Implementation Act - Certain Rayon Yarns

Pursuant to Section 202(o) of the United States – Korea Free Trade Agreement (“KORUS”) Implementation Act and the Interim Final Procedures set forth in 77 Fed. Reg. 1601 (March 19, 2012) (“Interim Procedures”), Kingery, Samet & Sorini PLLC (“KSS”) respectfully requests on behalf of Dae Yong Textile Co., Ltd. that the yarns described herein be added to the list in Annex 4–B–1 of KORUS in an unrestricted quantity.

The yarns are not available in commercial quantities in a timely manner from a supplier in the United States. We made this determination after (1) a thorough exploration of the market in the United States, (2) through detailed engagements with potential suppliers in attempts to secure the yarns, and (3) in recognition that such yarns are deemed to be in short supply under the CAFTA-DR as well as the CBTPA and AGOA programs.

I. Detailed Product Information

Textured and non-textured cuprammonium rayon filament yarns classified in HTS subheading 5403.39.

Yarn sizes (the figures below include the +/-10% variance that may occur after knitting, weaving and finishing):

200 – 163.64 Nm/30 filaments (45 - 55 denier)
133.33 – 109.09 Nm/45 filaments (67.5 – 82.5 denier)

133.33 – 109.09 Nm/54 filaments (67.5 – 82.5 denier)
100 – 81.81 Nm/70 filaments (90 - 110 denier)

Yarn sizes were calculated using a conversion factor of 9000/ denier = Nm

No turns

Finish: bright raw white

Cone type package

II. Quantity

Dae Yong Textile Co., Ltd. requires [***] per year.

III. Due Diligence

The potential suppliers were identified through our knowledge and research of the textile and apparel market in the United States, the on-line version of Davison's Textile Blue Book and the contact mechanisms of the remaining U.S. textile trade association. These efforts did not result in identifying any parties that were able to supply the subject fabric in a timely manner.

Engagement with Potential Suppliers:

We contacted each potential supplier and described the specifications for the subject yarns. No company stated that they were able to produce the subject yarns in commercial quantities in a timely manner.

Record of Communications:

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

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

Address: P.O. Box 99 – Gastonia, NC 28053

Contact: Mike Hubbard, Vice President

Phone: (704) 824-3522

Email: mhubbard@ncto.org

Date Contacted: January 21, 2014

Nature of Request: Inquiry regarding members' ability to supply subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Reply and Date: January 30, 2014
Mike Hubbard advised that he did not believe any companies were making the subject yarns in the United States.
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: February 26, 2014
Mike Hubbard advised that he is not aware of any companies in the U.S. making cuprammonium rayon yarns.

(2) Company: Patrick Yarn Mills, Inc.

Address: 501 York Rd.; Kings Mountain, NC
Contact: General email address; Craig Behringer, Sales Contact
Phone: 704 739-4119
Email: sales@patrickyarns.com; craig@patrickyarns.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Reply and Date: January 29, 2014
Craig Behringer advised that his company did not make the subject yarns.

(3) Company: Barsoumian Enterprises, Inc.

Address: 3 Marianne Lane; Valley Cottage, NY 10989
Phone: 212 947-0196
Contact: Berjouhy Barsoumian-Gulesserian, President
Email: berjouhy@barsoumian.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No

Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: February 25, 2014
Mr. Barsoumian advised that they are unable to help us in this.

(4) Company: Crescent Woolen Mills Co., Inc.

Address: 1016 School St.; PO Box 197; Two Rivers, WI 54241-0197
Phone: 920 793-3331
Contact: General email address
Email: marketing@crescentwoolenmills.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry Repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(5) Company: LA Mills, Inc.

Address: 2331 E 8th St.; Los Angeles, CA 90021
Phone: 213 622-8031
Contact: General email address; Andrew Kohler, Sales Contact
Email: Service@lamills.net; andrew@lamills.net
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Message repeated
Reply and Date: January 29, 2014
Andrew Kohler advised that his company did not produce the subject yarns.
Additional Contact: February 25, 2014

Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(6) Company: Pharr Yarns, Inc.

Address: 100 Main St; PO Box 1939; McAdenville, NC 28101-9998
Phone: 704 824-3551
Contact: General email address, Jerry Simmons, Sales Contact
Email: info@pharryarns.com, Jerry.Simmons@pharryarns.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: February 25, 2014
Mr. Simmons advised that Pharr does not offer the subject yarns.

(7) Company: National Spinning Co., Inc.

Address: 1481 West 2nd St.; Washington, NC 27889
Phone: 252 975-7111
Contact: Tanya H. (contact listed in Davison's Blue Book), Sales Contact
Email: tanyah@natspin.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(8) Company: Royal American Mills, Inc.

Address: 595 E 10th Ave.; Hialeah, FL 33010-4639
Phone: 800 966-6462
Contact: General email address
Email: info@chenilleyarns.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: February 26, 2014
R. Flaster responded that company does not make the subject yarns.

(9) Company: Ulusoy Chenille, LLC

Address: 410 N Piedmont Ave.; PO Box 1517; Kings Mountain, NC 28086
Phone: 646 207-5876
Contact: Mehmet Varinli, President
Email: mehmet@varinli.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(10) Company: Saunders Thread Co.

Address: 1004 East Long Ave.; PO Box 4016; Gastonia, NC 28054-0020
Phone: 704 866-9156
Contact: General email address; Dean Queen, Sales Contact
Email: saunders@saunders-thread.com; dqueen@saunders-thread.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.

Sample Provided: No
Additional Contact: January 29, 2014
Inquiry Repeated
Reply and Date: January 29, 2014
Dean Queen advised that his company does not make rayon products.

(11) Company: Brodnax Mills, Inc.

Address: 2 Kerr Dr.; PO Box A; Brodnax, VA 23920-0069
Phone: 434 729-2325
Contact: General email address
Email: sales@brodnaxmills.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(12) Company: Lorenzo Textile Mills, Inc.

Address: 401 Fillmore St.; PO Box 70; Lorenzo, TX 79343
Phone: 806 634-5506
Contact: General email address; Stuart Beckett, President & Plant Manager
Email: info@lorenzo.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(13) Company: Mount Vernon Mills, Inc.

Address: 2852 Gainsville Hwy.; PO Box 649; Alto, GA 30510
Phone: 706 776-2142
Contact: Richard Turner, President, Apparel Fabrics
Email: rich@mvmills.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: February 5, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(14) Company: Tuscarora Yarns, Inc.

Address: 401 Guinn St.; PO Box 440; Clover, SC 29710
Contact: Joe McLester, Vice President of Sales Administration; Andy Long – Vice President of Sales & Marketing
Phone: (704) 436-0422, (704) 436-0434
Email: jmclester@tuscarorayarns.com; along@tuscarorayarns.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Reply and Date: January 21, 2014
Joe McLester advised that his company does not make the subject yarns.
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: February 25, 2014
Joe McLester responded that Tuscarora does not make these types of yarns.

(15) Company: Brawer Bros., Inc.

Address: 375 Diamond Bridge Ave.; PO Box 640; Hawthorne, NJ 07507-0640
Phone: 973 238-1800
Contact: General email address

Email: brawerbros@aol.com
Date Contacted: January 24, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: February 5, 2014
Inquiry repeated
Additional Contact: February 25, 2014
Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(16) Company: Classic Elite Yarns, Inc.

Address: 16 Esquire Rd.; Unit 2; North Billerica, MA 01862
Phone: 800 343-0308
Contact: General inquiry facility on website:
www.classicelityarns.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns.
Sample Provided: No
Additional Contact: January 29, 2014
Inquiry repeated
Additional Contact: February 26, 2014
Inquiry repeated on company's website with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.
Reply and Date: No reply received.

(17) Company: Carolina Mills

Address: 618 Carolina Ave.; PO Box 157; Maiden, NC 28650
Phone: 828 428-9911
Contact: Khal Shreitah, Sales Contact
Email: KShreitah@carolinamills.com
Date Contacted: January 21, 2014
Nature of Request: Inquiry regarding company's ability to produce subject yarns, made via company website, www.carolinamills.com
Sample Provided: No
Additional Contact: January 21, 2014
Company advised that it does not offer the subject yarns.

Additional Contact: February 25, 2014

Inquiry repeated with removal of reference to Bemberg and addition of +/-10% tolerance in product specifications.

Reply and Date: No reply received.

As a result of the above inquiries and the thorough engagement and good faith efforts to procure the subject yarn, KSS and Dae Yong Textile Co. Ltd. do not believe that the subject yarns are commercially available in the United States in a timely manner and we request that they be added to Annex 4-B-1 of KORUS in an unrestricted quantity.

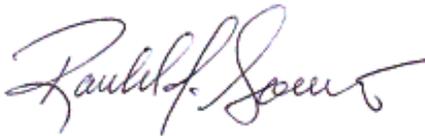
IV. Substitutable Products

Rayon is a versatile fiber that combines characteristics of natural and man-made fibers. For example, rayon fibers, filaments and the yarns and finished products made therefrom, provide the comfort properties of natural fibers along with the greater durability of man-made fibers in terms of wear and laundering. Articles made from rayon yarns are soft, smooth, cool, comfortable, and highly absorbent, but they do not insulate body heat, making them ideal for use in hot and humid climates. Cuprammonium rayon filaments can be much finer than other fibers, including other types of rayon. The products made from cuprammonium rayon yarns, have a softer, more silk-like hand. Given these unique properties, no other yarn is substitutable for the subject yarns. Further, no potential supplier suggested using substitute yarns.

V. Closing

If you have any questions or require further information with regard to this request, please contact Megan Costello at (202) 393-4481, or mcostello@ssa-dc.com.

Sincerely,



Ronald J. Sorini
Co-Founder & Principal

APPENDIX I

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