



Mark B. Kirby
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April 29, 2008

Mr. Matthew Priest, Chairman
Committee for the Implementation of
Textile Agreements – Room H3001A
U.S. Department of Commerce
14th Street & Constitution Avenue NW
Washington, DC 20230

Re: Commercial Availability Request Under the North American Free Trade Agreement (NAFTA) related to Certain Woven Jacquard Acetate Rayon Fabrics of HTSUS 5408.23.2930

Dear Mr. Priest:

Oxford Industries, Inc. (Oxford) respectfully requests that the Committee for the Implementation of Textile Agreements (CITA) recommend a change to the NAFTA Rules of Origin for various Harmonized Tariff Schedule Chapter 62 headings, and that, after consultations with Canada and Mexico, the President proclaim such change in accordance with 19 U.S.C. 3332 (q)(3)(a) and Section 7(2) of Annex 300-B of the NAFTA. We point out that the agreement only needs to be reached with Mexico since it is the only country where Oxford utilizes the subject lining fabrics. The description and physical parameters of the subject fabric is described in detail in “Annex I”.

The requested change would allow the use of the subject fabrics, described in “Annex I” of this petition as visible lining in men’s tailored clothing that otherwise qualifies as originating goods under the NAFTA. The requested change is appropriate because the subject fabrics are not available in commercial quantities in a timely manner from any producer in the United States, Canada, or Mexico. Oxford contacted all manufacturers of lining fabrics known to us via electronic mail and all have indicated no interest or ability to provide the subject fabric (see “Annex II”). We are unaware of any Mexican or Canadian suppliers of these highly specialized fabrics.

Therefore, we request that CITA recommend a modification to Chapter Rule 1 of Chapter 62 of Annex 401 of NAFTA to allow the use of non-North American fabric of the type described in Annex 1 of this petition in apparel classified in the following HTS subheadings 6203.11, 6203.12, 6203.19, 6203.22, 6203.23, 6203.29, 6203.31, 6203.32, 6203.33, and 6203.39. We further ask that these changes be made retroactive to the date of this request, April 10, 2008.

We realize that various statutory requirements regarding the requested consultations must be followed prior to the President's proclamation of a change in the NAFTA Rules of Origin for a textile product, such as discussed here. However, Oxford's inability to obtain the subject lining fabrics from a domestic source and the resulting long lead times involved in procuring it from Asian suppliers poses an immediate threat to the competitiveness of Oxford's manufacturing facility in Mexico. Accordingly, we request expedited action by all means available. For example, since the process of changing the NAFTA rules requires that the advice of the International Trade Commission (ITC) be obtained, we humbly suggest that CITA ask the United States Trade Representative (USTR) to immediately request the advice of the ITC so that the CITA and the ITC reviews may be performed at the same time.

Please contact me if CITA or other concerned agencies, committees, or other involved parties have questions or require additional information. Thank you for your attention to and consideration of this petition.

Respectfully submitted,

Annex 1 to Oxford Industries' Petition of April 10, 2008

- 1) Common name of fiber, yarn or fabric: Acetate Rayon Jacquard Lining
- 2) HTS Classification: 5408.23.2930
- 3) Specifications for woven fabrics:
 - a) Overall fiber content: 55% Acetate, 45% Rayon
 - b) Fiber content of warp: Acetate
 - c) Fiber content of filling: Rayon
 - d) Size of warp yarn: 75 Denier
 - e) Size of filling yarn: 120 Denier
 - f) Number of warp yarns per inch: 146 single threads/inch
 - g) Number of warp yarns per centimeter: 57.5 single threads/cm
 - h) Number of filling yarns per inch: 80 single threads/inch
 - i) Number of filling yarns per centimeter: 31.5 single threads/cm
 - j) Weight in ounces/square yard: 2.59
 - k) Weight in grams/square meter: 88
 - l) Width in inches, including selvedge: 55"
 - m) Weave type: Jacquard of 2 or more color yarns
 - n) Coloration: Yarn Dyed
- 4) The fabric is not coated

Annex II to Oxford Industries' Petition of April 10, 2008

Date: February 22, 2008
Company: Lucerne Textiles
Contact: John Iason
Comments: "...we do not have a product like this in the U.S."

Date: February 20, 2008
Company: ARC
Contact: Jim Lavner
Comments: "...to the best of our company's knowledge, this fabric is not available in the U.S."

Date: February 21, 2008
Company: QST
Contact: Bill Haber
Comments: "...we currently do not have a domestic supplier for this type of jacquard... I don't believe this is made domestically..."

Date: February 21, 2008
Company: Acker & Jablow
Contact: Steve Weinstein
Comments: "...we can only try and produce the above out of the Orient..."