United States International Trade Commission

# Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States

# Addendum

Investigation No. 1205-8 USITC Publication 4217 February 2011



## **U.S. International Trade Commission**

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## **U.S. International Trade Commission**

Washington, DC 20436 www.usitc.gov

# Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States

# Addendum

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#### **OVERVIEW**

In August 2010, the U.S. International Trade Commission (Commission) submitted to the United States Trade Representative (USTR) its recommendations to the President under section 1205 of the Omnibus Trade and Competitiveness Act of 1988<sup>1</sup> (the 1988 Act) for changes to chapter 64 of the Harmonized Tariff Schedule of the United States (HTS) with respect to certain footwear.<sup>2</sup> <sup>3</sup> This report contains further recommendations of the Commission to the President as requested by the USTR in a letter dated November 8, 2010.<sup>4</sup> The report also includes a statement of the probable economic effect of the further recommendations on the U.S. industry, the information on which the recommendations are based, and copies of interested party submissions.

In addition to the request letter, appendix A contains the Federal Register notice instituting this investigation. Appendix B contains the Commission's proposed further recommendations, as posted on its web site. The full text of the Commission's further recommendations is set out in appendix C. Correlation tables between present and recommended HTS subheadings are found in appendix D (sorted by proposed HTS subheading and by current HTS subheading). Copies of the submissions filed by interested parties are included in appendices E through H. The full texts of sections 1205 and 1206 of the 1988 Act are set forth in appendix I.

#### **RECOMMENDATIONS AND PROBABLE ECONOMIC EFFECT FINDING**

The Commission makes the following recommendations:

- (1) With respect to HTS subheadings<sup>5</sup> 6404.11 and 6404.19—
  - (a) on the basis of new information filed by interested parties and verified by Customs, the Commission recommends modifying HTS chapter 64 to provide separately for particular textile-bottom footwear by inserting new tariff lines under subheadings 6404.11.70, 6404.11.80, 6404.19.40,

<sup>&</sup>lt;sup>1</sup> 19 U.S.C. 3005.

<sup>&</sup>lt;sup>2</sup> The Commission's recommendations in Inv. No. 1205-8 are contained in its final report, *Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States*, Publication 4178 (August 2010). This report also contains background information on section 1205 of the 1988 Act.

Based on Treasury's request, the Commission recommended the insertion of an additional U.S. note concerning the classification of footwear with textile materials on the outer sole and the establishment of tariff lines for certain footwear that would be reclassified if that note were proclaimed by the President.

<sup>&</sup>lt;sup>3</sup> The Commission's recommendations contained in the August 2010 report are before Congress under the layover provision in section 1206 of the 1988 Act. Those recommendations are not substantively affected by the further recommendations in this addendum.

<sup>&</sup>lt;sup>4</sup> A copy of the request letter is included in appendix A.

<sup>&</sup>lt;sup>5</sup> In this report, the term "tariff line" will be used to refer to a new tariff category recommended by the Commission and "subheading" will be used to refer to existing tariff categories at the 6- or 8-digit level.

6404.19.50, 6404.19.70, and 6404.19.80, as set forth in items 2 through 7 in appendix  $C^{6}$ 

- (b) in the absence of supporting documentation, the Commission recommends against adding new tariff lines under subheadings 6404.11.40, 6404.11.50, 6404.11.60, or 6404.19.60.
- (2) With respect to HTS headings 6402 and 6401—
  - (a) on the basis of supporting documentation submitted in the original investigation and verified by Customs, the Commission recommends modifying HTS chapter 64 to provide separately for particular textilebottom footwear by inserting new tariff lines under subheading 6402.99.40, as set forth in item 1 in appendix C.
  - (b) in the absence of supporting documentation, the Commission recommends against adding new tariff lines under subheading 6401.99.10 or 6402.91.90.

In making its recommendations, the Commission considered each of the statutory requirements in section 1205(d) and concluded that its recommendations meet all of the listed requirements. The Commission's recommendations in the original report (and these further recommendations) are based on recent decisions of the Harmonized System Committee of the World Customs Organization (WCO) on the classification of particular footwear for purposes of the Harmonized System, and are therefore consistent with the HS Convention and sound nomenclature principles.

Section 1205(c) of the Act requires the Commission to include in its report a statement of the probable economic effect of each recommended change on any industry in the United States. The Commission finds that adding the recommended new tariff lines shown in appendix C would have little or no probable economic effect on any industry in the United States. The recommended new tariff lines would continue the tariff treatment that has been given to imports of footwear under heading 6405; these imports were substantiated by entry documentation and verified by Customs. These new tariff lines are therefore rate neutral. Because the tariff rates for these goods would not change, these modifications would have little or no probable economic effect on any industry in the United States. In addition, footwear industry representatives commented favorably on the proposed recommended modifications as rate neutral, because duty rates applicable to the footwear covered by the new tariff lines would not change from the rates now applicable under heading 6405.

<sup>&</sup>lt;sup>6</sup> Certain recommended tariff lines in the Commission's original report would need to be renumbered as a result of these new insertions, as indicated in appendix C, but this renumbering is technical only and does not substantively change the original recommendations.

<sup>&</sup>lt;sup>7</sup>See appendices G and H.

#### BACKGROUND

#### I. STATUTORY REQUIREMENTS

Section 1205 of the 1988 Act (19 U.S.C. 3005) contains a statutory mechanism for ensuring that the HTS will remain in conformity with the International Convention for the Harmonized Commodity Description and Coding System (the HS Convention) over time. Section 1205(a) directs the Commission to keep the HTS under continuous review and periodically to recommend appropriate HTS modifications to the President as necessary or appropriate (1) to conform the HTS with amendments to the HS Convention, (2) to promote the uniform application of the HS Convention and the Annex thereto, (3) to ensure that the HTS is kept up to date in light of changes in technology or patterns of trade, (4) to alleviate unnecessary administrative burdens, and (5) to make technical rectifications.

Section 1205(b) provides for comment on the Commission's proposed recommendations by interested federal agencies and the public. Section 1205(c) describes information to be included in the Commission's report to the President.

Section 1205(d) provides that the Commission may not recommend any modifications unless the modification meets the following requirements: (1) the modification must be consistent with the HS Convention or any amendment thereto, be consistent with sound nomenclature principles, and ensure substantial rate neutrality; (2) any change to a rate of duty must be consequent to, or necessitated by, nomenclature modifications that are recommended under section 1205; and (3) the modification may not alter existing conditions of competition for the affected U.S. industry, labor, or trade.

Section 1206 describes the actions through which the President may proclaim the implementation of any recommendations made by the Commission under section 1205.

#### II. CLASSIFICATION OF FOOTWEAR IN THE HTS

In general, imports of footwear into the United States are classified in HTS chapter 64 and are categorized according to the constituent material of the outer sole and that of the upper. Note 4(b) to chapter 64 provides that, in classifying footwear in provisions that specify the constituent material of the outer sole, classification is to be determined by "the material having the greatest surface area in contact with the ground, no account being taken of accessories or reinforcements..." Duties vary widely in chapter 64, and column 1-general duty rates under heading 6405 for footwear with textile outer soles are generally lower than those under headings 6401 through 6404.

The product covered in this addendum investigation, as in the original report, is footwear with textile materials applied to or partially embedded in the outer sole. If a proposed additional U.S. note recommended in the original report is proclaimed by the President, some of this footwear would be reclassified out of HTS heading 6405. Once reclassified, the footwear would

be subject to higher rates of duty, unless new tariff lines are created that give it the same duty treatment now provided under HTS heading 6405.

#### III. THE ORIGINAL INVESTIGATION

In the original investigation (1205-8), the Department of Treasury requested that the Commission recommend adding an additional U.S. note to chapter 64 to "clarify that textile materials that do not possess the characteristics usually required for normal use of an outer sole (e.g., durability, strength, etc.) should not be taken into account for classification purposes when added to an outer sole."<sup>8</sup> The note would require that, when such nondurable textile materials have been applied to or partially embedded in the outer sole, they should be disregarded when determining the classification of footwear, thereby excluding certain footwear from heading 6405.

The recommended new tariff lines arising from Treasury's request would provide for such footwear according to their constituent materials, at duty rates currently available under heading 6405, thereby maintaining rate neutrality. Absent such added HTS tariff lines, the goods transferred out of heading 6405 would be reclassified into other chapter 64 subheadings with different (usually higher) duty rates. The HTS modifications recommended by the Commission were essentially the same as those proposed by Treasury, except for minor changes in wording. The Commission transmitted its report and recommendations to USTR on August 9, 2010. When USTR transmitted the report to the House Committee on Ways and Means and the Senate Committee on Finance, the layover period specified in section 1206 of the 1988 Act began.

In response to the Commission's notice in the original investigation, the Footwear Distributors and Retailers of America (FDRA) submitted evidence of liquidated entries and requested that the Commission recommend additional 8-digit tariff lines to provide for footwear not covered by Treasury's request. In addition, Pro Line Manufacturing Company (Pro Line) supplied entry summary documents that it asserted should be viewed as supporting the establishment of additional tariff lines. However, as the original report stated, these entries and entry summary documents did not provide enough information for U.S. Customs and Border Protection (CBP or Customs) to formally verify the existing and potential classification of the subject footwear. Other interested parties that requested additional tariff lines did not supply any liquidated entries or other Customs documentation. As a result, in its original report, the Commission did not recommend adding any of the tariff lines that had been requested by the interested parties.

<sup>&</sup>lt;sup>8</sup> <u>See</u> Inv. No. 1205-08, Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States, Publication 4178 (August 2010), p. 7.

#### IV. THE USTR REQUEST

In its November 2010 request letter, USTR requested that the Commission, consistent with section 1205(d), make further recommendations concerning two subjects. First, USTR cited issues relating to particular provisions of subheadings 6404.11 and 6404.19, under which the Commission recommended new tariff lines in its original report. USTR asked the Commission to provide further recommendations for footwear with uppers of textile material under ten specified subheadings (noted below)<sup>9</sup> "to reflect more accurately the current language of these subheadings and of [the HS Convention]." USTR asked the Commission to give interested parties an opportunity to supply information about Customs entries liquidated before April 13, 2010.

Second, USTR asked the Commission to consider whether additional tariff lines should be inserted under subheadings 6402.91.90, 6402.99.40, and 6401.99.10, in response to requests made by interested parties in the course of the original investigation. The letter noted that FDRA had requested the addition of tariff lines under subheadings 6402.91.90 and 6402.99.40 and Pro Line, under subheading 6401.99.10. USTR asked the Commission to review information previously provided by these parties covering entries liquidated before April 13, 2010, to determine whether the information adequately supports their requests.

In response to the request letter, the Commission published a notice in the *Federal Register* on December 6, 2010<sup>10</sup> that it would provide further recommendations and invited interested parties to file submissions related to the first part of the USTR request by December 22, 2010. The Commission posted its proposed further recommendations and asked interested federal agencies and the public to file any written views on these proposed recommendations by January 12, 2011.<sup>11</sup>

#### INFORMATION AND RECOMMENDATIONS RELATING TO HTS SUBHEADINGS 6404.11 AND 6404.19

As noted above, USTR requested that the Commission make further recommendations on the appropriateness of inserting new tariff lines under subheadings 6404.11 and 6404.19 (involving 10 subheadings), based on new submissions to be filed by interested parties relating to entries liquidated prior to April 13, 2010. Based on information submitted by interested parties and verified by Customs, the Commission recommends that additional tariff lines be inserted under six of the ten subheadings specified by USTR. The Commission recommends that no new tariff be inserted with respect to the other four subheadings.

#### I. INFORMATION SUPPLIED BY INTERESTED PARTIES

<sup>&</sup>lt;sup>9</sup> <u>See</u> footnote 2 to USTR request letter (appendix A). The specified subheadings are 6404.11.40, 6404.11.50, 6404.11.60, 6404.11.70, and 6404.11.80 (for footwear with uppers of vegetable fibers) and 6404.19.40, 6404.19.50, 6404.19.60, 6404.19.70, and 6404.19.80 (for footwear with uppers of other material).

<sup>&</sup>lt;sup>0</sup> 75 F.R. 75695. A copy of the notice is included in appendix A.

<sup>&</sup>lt;sup>11</sup> The further recommendations were posted on December 29, 2010 at <u>http://www.usitc.gov/tariff\_affairs/</u> <u>modifications\_hts.htm</u>, and a copy of the recommendations is included in appendix B.

The Commission received submissions from FDRA and Pro Line, containing Customs entry documentation. FDRA<sup>12</sup> supplied descriptive information and supporting entry documents for footwear that it asserted would be classifiable in six of the current subheadings included in the USTR request, if the additional U.S. note recommended in the original report is proclaimed. FDRA stated that new tariff lines covering FDRA's footwear imports must be inserted into the existing HTS structure to maintain duty rate neutrality.

FDRA stated that it was unable to provide liquidated entries for footwear of a type that would be covered by the other four subheadings enumerated by USTR in its request, i.e., 6404.11.40, 6404.11.50, 6404.11.60, and 6404.19.60. It indicated that member firms had difficulty in locating such entries, because they could not identify which footwear now being imported under heading 6405 had the characteristics that would result in its being classified under any of the four remaining subheadings listed in the request letter.<sup>13</sup>

Pro Line<sup>14</sup> supplied entry summary documentation for one subheading (6404.19.80) included in USTR's request, but did not provide a liquidation date. Pro Line also provided documentation for a second subheading (6402.19.20) that was not within the scope of USTR's request.<sup>15</sup>

The subheadings listed in the FDRA request and covered by the liquidated entries supplied to the Commission were included in the proposed recommendation posted on the Commission's Web site on December 29, 2010, for public comment. The Commission received two written submissions commenting on that posting. FDRA stated that it had reviewed the proposed modifications and that its "sole comment is that the Proposed Modifications are acceptable and that no changes are necessary."<sup>16</sup> The Rubber and Plastic Footwear Manufacturers Association (RPFMA) stated that it had reviewed the material and had "no objections to the proposed modifications described in that report."<sup>17</sup>

#### II. VERIFICATION BY CUSTOMS

CBP examined the entry documentation and supplementary information for the merchandise that was included in the FDRA submission.<sup>18</sup> CBP stated that the footwear concerned would be classified under one of the six subheadings listed above in the discussion of the FDRA submission, rather than under heading 6405, if the additional U.S. note recommended

<sup>&</sup>lt;sup>12</sup> FDRA submission of December 7, 2010 (appendix E).

<sup>&</sup>lt;sup>13</sup> Such entry documentation would likely reflect the article descriptions of the applicable 2011 HTS provisions. However, it might not give enough information to show whether the footwear has the characteristics that would result in its reclassification, or its potential classification under particular 2011 HTS provisions, if the recommended additional U.S. note is proclaimed.

<sup>&</sup>lt;sup>14</sup> Pro Line submission of December 21, 2010 (appendix F).

<sup>&</sup>lt;sup>15</sup> Ibid.

<sup>&</sup>lt;sup>16</sup> FDRA submission of January 7, 2011 (appendix G).

<sup>&</sup>lt;sup>17</sup> RPFMA submission of January 10, 2011 (appendix H).

<sup>&</sup>lt;sup>18</sup> E-mail from Myles Harmon, Director, Commercial and Trade Facilitation Division, Office of International Trade, U.S. Customs and Border Protection, January 14, 2011. <u>See</u> appendix B.

in the original report is proclaimed by the President. CBP also confirmed that the relevant entries were liquidated before April 13, 2010.

CBP further stated that it had examined the 14 entry summaries supplied by Pro Line, which sought new tariff lines under five subheadings outside of heading 6405, for footwear Pro Line asserted would be reclassified under two statistical reporting numbers under subheading 6404.19.20. CBP did not address subheading 6404.19.80, which appeared in the Pro Line submission; however, that subheading is one of the provisions verified for the FDRA submission and is therefore included in the Commission's further recommendations. CBP stated that it had "ascertained the liquidation dates for all of the entries cited in the Pro Line submission. In each instance liquidation took place after April 13, 2010." Because liquidation occurred after the deadline set by USTR, the Commission could not take the Pro Line submission into account in making its recommendations.

#### III. COMMISSION RECOMMENDATIONS

Based on the information above, the Commission recommends the addition of tariff lines relating to subheadings 6404.11.70, 6404.11.80, 6404.19.40, 6404.19.50, 6404.19.70, and 6404.19.80. The following tabulation includes (1) each existing HTS subheading applicable to the footwear covered by FDRA's request for which the Commission recommended new tariff lines, together with the 2011 column 1-general rates of duty for such subheadings; (2) the potential classification of the subject footwear under existing HTS subheadings, should the additional U.S. note recommended in the original report be proclaimed, together with their 2011 general duty rates; and (3) the Commission's recommended HTS tariff lines for such footwear, as set forth in appendix C to this report, together with the applicable general duty rate. As shown in the tabulation on the following page, the recommended new tariff lines would be rate neutral.

Existing HTS Classification	Current Col. 1-General Duty Rate (percent ad valorem)	Potential Classification with New Note	Potential Col. 1- General Duty Rate	Recommended HTS Tariff Line	Recommended Col. 1-General Duty Rate
6405.20.30	7.5%	6404.19.40 6404.19.50 6404.19.70 6404.19.80	37.5% 48% 90¢/pr + 37.5% 90¢/pr. + 20%	6404.19.42 6404.19.52 6404.19.72 6404.19.82	7.5% 7.5% 7.5% 7.5%
6405.20.90	12.5%	6404.11.70 6404.11.80	90¢/pr. + 37.5% 90¢/pr. + 20%	6404.11.75 6404.11.85	12.5% 12.5%

#### INFORMATION AND RECOMMENDATIONS RELATING TO HTS SUBHEADINGS 6402.91.90, 6402.99.40, AND 6401.99.10

As noted above, USTR requested that the Commission provide a further recommendation regarding whether the information previously provided to the Commission in its original investigation by FDRA and Pro Line, provides adequate support for their requests to add tariff lines under subheadings 6402.91.90, 6402.99.40, and 6401.99.10. With respect to this request, the Commission recommends adding new tariff lines under HTS subheading 6402.99.40, in order to provide separately for certain footwear that would be reclassified from heading 6405 into this subheading as a result of the note recommended in the original report. The Commission recommends against adding new tariff lines under subheadings 6402.91.90 or 6401.99.10.

#### I. INFORMATION SUPPLIED BY INTERESTED PARTIES

During the original investigation, FDRA supplied descriptive information and copies of supporting entry documents for footwear, asserting that these shoes would be classifiable in HTS subheading 6402.99.40 if the additional U.S. note recommended in the original report is proclaimed by the President. FDRA supplied documentation<sup>19</sup> showing that the subject footwear was liquidated by CBP under present subheading 6405.90.90 on February 12, 2010. During the Commission's original investigation, FDRA had requested additional tariff lines be created under subheadings 6402.91.90 and 6402.99.40. However, because there was insufficient information at the time for Customs to formally verify the existing and potential classification of the subject footwear, the Commission did not make this recommendation.

During the original investigation, Pro Line had provided an entry summary in support of an additional new tariff line under subheading 6401.99.10, but CBP did not have enough information at the time to formally verify either the classification of the footwear or whether or when the relevant entries had been liquidated. In the context of this addendum report, Pro Line again requested a new tariff line under subheading 6401.99.10 and supplied similar supporting

<sup>&</sup>lt;sup>19</sup> FDRA submission of December 7, 2010 (appendix E).

entry summary documentation.<sup>20</sup> The submission also requested additional tariff lines under subheading 6401.92.90, which was not referenced in USTR's request letter.

#### II. VERIFICATION BY CUSTOMS

As previously noted, CBP examined the entry documentation and supplementary information on the merchandise that was included in the FDRA submission.<sup>21</sup> CBP stated that the footwear indicated by FDRA would be classifiable in subheading 6402.99.40 rather than under heading 6405 if the additional U.S. note recommended in the original report is proclaimed by the President. CBP also confirmed that the relevant entries supplied by FDRA were liquidated before April 13, 2010, the deadline specified in USTR's request letter.

CBP further stated that it had examined the 14 entry summaries supplied by Pro Line concerning five subheadings. CBP indicated that Pro Line's submission had claimed that the footwear covered by the entry documentation would be classified under subheadings 6401.92.90, 6401.99.10, and 6401.99.30; however, of these subheadings, only for subheading 6401.99.10 was the Commission asked by USTR to provide further recommendations. CBP also stated that for all entries cited in the Pro Line submission, liquidation took place after April 13, 2010.

#### III. COMMISSION RECOMMENDATIONS

Based on the entry documentation supplied by FDRA and verified by CBP, the Commission recommends adding new tariff lines relating to subheading 6402.99.40, as shown in appendix C to this report. No new tariff lines are recommended under subheadings 6402.91.90 or 6401.99.10, because the Commission did not receive Customs documentation showing liquidation of entries before the deadline set by USTR, April 13, 2010.

The tabulation on the following page includes (1) the existing subheading applicable to the footwear covered by FDRA's request for which the Commission makes a recommendation, together with the 2011 column 1-general rate of duty for that subheading; (2) the potential classification of the subject footwear under existing subheadings, should the additional U.S. note recommended in the original report be proclaimed, together with the 2011 general duty rate; and (3) the Commission's recommended subheading for such footwear, together with the applicable *ad valorem* general duty rate.

Existing HTS Classification	Current Col. 1- General Duty Rate	Potential Classification with New Note	Potential Col. 1-General Duty Rate	Recommended HTS Tariff Line	Recommended Col. 1-General Duty Rate
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<sup>&</sup>lt;sup>20</sup> Pro Line submission of December 21, 2010 (appendix F).

<sup>&</sup>lt;sup>21</sup> E-mail from Myles Harmon, Director, Commercial and Trade Facilitation Division, Office of International Trade, U.S. Customs and Border Protection, January 14, 2011. <u>See</u> appendix B.

6405.90.90	12.5%	6402.99.40	37.5%	6402.99.49	12.5%
0403.30.30	12.570	0402.33.40	57.570	0402.99.49	12.570

### APPENDIX A

## REQUEST LETTER FROM THE UNITED STATES TRADE REPRESENTATIVE

# FEDERAL REGISTER NOTICE INSTITUTING THE INVESTIGATION

مريدي هريدي 

EXECUTIVE OFFICE OF THE PRESIDENT THE UNITED STATES TRADE REPRESENTATIVE WASHINGTON, D.C. 20508

NOV 0 8 2010

The Honorable Deanna Okun Chairman U.S. International Trade Commission 500 E Street, SW Washington, D.C. 20436

RE: Investigation No. 1205-8; Certain Footwear Recommendations for Modifying the Harmonized Tariff Schedule of the United States pursuant to Section 1205 of the Omnibus Trade and Competitiveness Act of 1988

Dear Chairman Okun:

On August 9, 2010, the U.S. International Trade Commission (Commission or USITC) transmitted its report and recommendations to me regarding modifications of the Harmonized Tariff Schedule of the United States (HTS) relating to certain footwear.<sup>1</sup> Acting pursuant to authority delegated to me by the President, I transmitted the report to the Committee on Ways and Means and the Finance Committee called for under section 1206 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. §3006) and commenced the consultation and layover process. Certain issues have arisen during consultations on the modifications proposed in the report.

In light of this, I am requesting the Commission's further recommendations with respect to whether, consistent with the provisions of section 1205(d), additional tariff lines should be inserted into the structure of headings 6401, 6402 and 6404 to address two issues. The first issue involves changes to certain subheadings of 6404.11 and 6404.19 that the USITC included for the first time in its final report to reflect more accurately the current language of these subheadings and of the International Convention on the Harmonized Commodity Description and Coding System (the "Convention"). The second issue is whether additional tariff lines should be inserted into subheadings 6402.91.90, 6402.99.40 and 6401.99.10, in response to requests from interested parties.

With respect to several subheadings of 6404.11 and 6404.19, the Commission in its final report correctly included descriptions specifying that footwear falling under certain new tariff lines under current HTS subheadings 6404.11 and 6404.19 feature either uppers of vegetable fibers or uppers of other material.<sup>2</sup> However, because the descriptions appeared for the first time in the final report, interested parties may not have recognized the need to submit information on the tariff classification and rates of duty applied to imports in liquidated and undisputed entries of

<sup>&</sup>lt;sup>1</sup> Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States, Inv. No. 1205-8 (Final), USITC Pub. 4178 (Angust 2010).

<sup>&</sup>lt;sup>2</sup> Specifically, under the Commission's Final Report, only footwear with uppers of vegetable fibers will fall under the new tariff lines created under current HTS subheadings 6404.11.40, 6404.11.50, 6404.11.60, 6404.11.70 and 6404.11.80. By contrast, only footwear with uppers of material other than vegetable fibers will fall under the new tariff lines created under current HTS subheadings 6404.19.40, 6404.19.50, 6404.19.60, 6404.19.70 and 6404.19.80.

footwear falling into these new subheadings so that the Commission could maintain tariff rate neutrality in making its recommendation. I therefore request that the Commission provide an opportunity for interested parties to submit such information relating to entries liquidated prior to the Commission's initiation of this investigation on April 13, 2010. I further request that, based on those submissions, the Commission make further recommendations on the appropriateness of inserting new tariff lines under the above-referenced HTS subheadings noted in footnote 2.

Second, I understand that, shortly before the Commission issued its report and recommendation, two interested parties submitted copies of documents that those parties believed support the need for the Commission to propose additional tariff lines in headings 6401 and 6402. According to the final report, the Footwear Distributors and Retailers of America (FDRA) requested the addition of tariff lines under subheadings 6402.91.90 and 6402.99.40 for certain footwear, and Pro Line requested an additional tariff line under subheading 6401.99.10 for other footwear. The Commission did not recommend including these additional tariff lines.

I understand that additional time could have been useful to the Commission in its evaluation of the information that was submitted. I therefore request that the Commission provide a further recommendation regarding whether the information previously provided by FDRA and Pro Line covering entries liquidated prior to the initiation of the Commission's investigation on April 13, 2010, provides adequate support for their requests for the Commission to recommend additional tariff lines.

I would greatly appreciate receiving the Commission's recommendations on these two issues within 60 days after receipt of this letter, or as soon thereafter as possible. I appreciate the fine work that the Commission has done on a complicated tariff matter and look forward to receiving your recommendations on these issues.

Sincerely,

Ambassador Ron Kirk

SUMMARY: Following receipt of a request from the United States Trade Representative (USTR) on November 8, 2010, the Commission has decided to issue an Addendum to investigation No. 1205–8, Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States, for the purpose of making certain further recommendations to the President relating to the addition of new tariff lines applicable to the subject footwear.

#### DATES:

December 22, 2010: Deadline for filing submissions relating to entries liquidated prior to April 13, 2010, under heading 6405;

*December 29, 2010:* Date by which Commission will post proposed recommendations on its Web site;

January 12, 2011: Deadline for filing written views by other Federal agencies and interested parties;

*February 21, 2011:* Transmittal of (final) recommendations to the President.

ADDRESSES: All Commission offices are located in the United States International Trade Commission Building, 500 E Street SW., Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at http://edis.usitc.gov.

FOR FURTHER INFORMATION CONTACT: David Beck, Director, Office of Tariff Affairs and Trade Agreements (202– 205–2603, fax 202–205–2616, *david.beck@usitc.gov*), or Janis L. Summers, Attorney Advisor, Office of Tariff Affairs and Trade Agreements (202–205–2605,

janis.summers@usitc.gov). The media should contact Margaret O'Laughlin, Office of External Affairs (202–205–1819,

margoret.olaughlin@usitc.gov). Hearing impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202– 205–1810. General information concerning the Commission may also be obtained by accessing its Internet Web site at http://www.usitc.gov. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000.

Background: Section 1205(a) of the Omnibus Trade and Competitiveness Act of 1988 (the 1988 Act) (19 U.S.C. 3005(a)) provides that the Commission. shall keep the HTS under continuous review and periodically recommend to the President such modifications in the HTS as the Commission considers necessary or appropriate, *inter alia*, to promote the uniform application of the Harmonized System Convention. Subsections (b)–(d) of section 1205 set out procedures and requirements that the Commission must follow in making its recommendations.

On August 9, 2010, the Commission transmitted to the President a report containing its recommendations regarding modifications to the HTS for certain footwear that was the subject of its investigation No. 1205-8 (USITC Publication 4178, August 2010). A copyof that report is available on the Commission's Web site at http:// www.usitc.gov/tariff\_affairs/ hts\_documents/1205-8FINALREPORTCOMBINED.pdf. Pursuant to section 1206 of the 1988 Act, the President has submitted a report containing those recommendations to the House Committee on Ways and Means and Senate Committee on Finance for a 60day layover period. The Commission noted in that report that it would keep the investigation open to allow it to make further recommendations.

On November 8, 2010, the Commission received a letter from the USTR requesting that the Commission make certain further recommendations concerning the footwear that was the subject of recommendations in the Commission's August 2010 report. More specifically, the USTR requested that the Commission, consistent with the provisions of section 1205(d)—

(1) Make further recommendations, based on new submissions to be filed by interested parties relating to entries liquidated prior to the Commission's initiation of this investigation on April 13, 2010, on the appropriateness of inserting new tariff lines under subheadings 6404.11 and 6404.19, in addition to those already recommended by the Commission in its August 2010 report; and

(2) Provide a further recommendation regarding whether the information previously provided to the Commission in investigation No. 1205–8 by the Footwear Distributors and Retailers of America (FDRA) and by Pro Line Manufacturing Company (Pro Line), covering entries liquidated prior to the initiation of the Commission's investigation on April 13, 2010, provides adequate support for their requests to add tariff lines under subheadings 6402.91.90, 6402.99.40, and 6401.99.

#### INTERNATIONAL TRADE COMMISSION

[Investigation No. 1205-8 (Addendum)]

Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States

AGENCY: United States International Trade Commission.

ACTION: Issuing an Addendum to an investigation for the purpose of making further recommendations.

With respect to the first request, the USTR noted that the Commission in its August 2010 report correctly included descriptions specifying that footwear falling under the certain new tariff lines under current HTS subheadings 6404.11 and 6404.19 feature uppers of textile material other than vegetable fibers. The USTR further noted, however, that, because these descriptions appeared for the first time in the final report, interested parties may not have recognized the need to submit information on the tariff classification and rate of duty applied to imports in liquidated and undisputed entries of other footwear (e.g., having uppers of man-made fibers) falling into these new subheadings, so that the Commission could maintain tariff rate neutrality in making its recommendation.

With regard to the second request, the USTR noted that, shortly before the Commission issued its August 2010 report and recommendation. two interested parties, the FDRA and Pro Line, submitted copies of documents that, in their view, supported the need for the Commission to propose additional tariff lines under headings 6401 and 6402. The USTR noted that the Commission report indicated that the FDRA requested the addition of tariff lines under subheadings 6402.91.90 and 6402.99.40 for certain footwear, and that Pro Line requested an additional tariff line under subheading 6401.99 for other footwear. The USTR noted that the Commission did not recommend including these additional tariff lines and indicated that additional time could have been useful to the Commission in evaluating the information provided by the FDRA and Pro Line in that context.

For an up-to-date copy of the HTS, which incorporates the international Harmonized System in its structure, see the Commission's Web site at http:// www.usitc.gov/tota/hts/bychopter/ index.htm.

Written Submissions: Interested parties are invited to submit written copies of liquidated entries by December 22, 2010. The entry documentation solicited by the Commission in this notice should be for import entries liquidated before April-13, 2010, and covering footwear (1) having an outer sole with textile materials having the greatest surface area in contact with the ground; (2) currently classified under heading 6405; and (3) subject to reclassification under subheading 6404.11 or 6404.19 as a result of the Commission's recommendation set out in its August 2010 report. Recommendations in the Commission's addendum will be

limited to the possible new tariff subheadings specified in the USTR's request letter of November 8, 2010, and will not address any other facet of the Commission's August 2010 recommendation.

The Commission will post its proposed recommendations on this matter on its Web site at http:// www.usitc.gov/tariff\_affairs/ modifications\_hts.htm by December 29, 2010. Interested Federal agencies and the public may file views on these proposed modifications by January 12, 2011.

All written submissions should be addressed to the Secretary and received no later than December 22, 2010 (for copies of the liquidated entries described above), and no later than January 12, 2011 (with regard to Commission's proposed recommendations). Submissions should be marked to refer to "Investigation No. 1205–8 (Addendum)". All written submissions must conform with the provisions of section 201.8 of the Commission's Rules of Proctice and Procedure (19 CFR 201.8). Section 201.8 requires that a signed original (or a copy so designated) and fourteen (14) copies of each document be filed. In the event that confidential treatment of a document is requested, at least four (4) additional copies must be filed, in which the confidential information must be deleted (see the following paragraph for further information regarding confidential business information). The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, http:// www.usitc.gov/docket\_services/ documents/

handbook\_on\_electronic\_filing.pdf). Persons with questions regarding electronic filing should contact the Secretary (202–205–2000).

Any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by the public. Any confidential business information received in the course of

the investigation may be included in the report that the Commission sends to the USTR and the President and may be made available to U.S. Customs and Border Protection and to the U.S. Census Bureau. The Commission will not otherwise publish or release any confidential business information received, nor release it to other government agencies or other persons.

Issued: November 30, 2010.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission. [FR Doc. 2010–30422 Filed 12–3–10; 8:45 am] BILLING CODE 7020–02–P

A-4

### **APPENDIX B**

## PROPOSED RECOMMENDATIONS POSTED ON THE COMMISSION WEB SITE (December 29, 2010) FOR PUBLIC COMMENT

COMMUNICATION FROM U.S. CUSTOMS AND BORDER PROTECTION CONCERNING ENTRY DOCUMENTATION RECEIVED BY THE COMMISISON FROM INTERESTED PARTIES ۲ •

# Proposed modifications based on customs documentation received from importers

#### Addendum to USITC Investigation No. 1205-8 (Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States)

On November 8, 2010, the United States International Trade Commission (Commission) received a letter from the United States Trade Representative (USTR) requesting that the Commission make certain further recommendations concerning the footwear that was the subject of recommendations in the Commission's final report on investigation No. 1205-8 (USITC Publication 4178, August 2010).<sup>1</sup> As indicated in the *Federal Register*,<sup>2</sup> the United States International Trade Commission (Commission) announced that it would issue an addendum to investigation No. 1205-8 and "post proposed recommendations on this matter on its Web site. . .by December 29, 2010. . .".

The USTR request focused on two sets of existing HTS subheadings, as follows:

- Subheadings 6404.11.40, 6404.11.50, 6404.11.60, 6404.11.70, 6404.11.80, 6404.19.40, 6404.19.50, 6404.19.60, 6404.19.70 and 6404.19.80, for which the Commission was asked to make further recommendations on the basis of liquidated customs entries to be provided by importers by December 22, 2010. Supporting documentation was received for all these subheadings, except 6404.11.40, 6404.11.50, 6404.11.60, and 6404.19.60.
- (2) Subheadings 6401.99.10, 6402.91.90, and 6402.99.40, for which the Commission was asked to provide a further recommendation on the basis of information previously provided by importers in the context of the Commission's August 2010 report. To date, U.S. Customs and Border Protection has verified the validity of a new breakout out under existing subheading 6402.99.40, which is included in this posting. The Commission is still seeking information from U.S. Customs and Border Protection on the other two subheadings.

The attached proposed recommendations include additional new tariff subheadings (highlighted), along with modifications already recommended under the relevant 6-digit subheadings in appendix B to the Commission's August 2010 report. Other modifications already recommended by the Commission in August 2010 remain in place.

Interested Federal agencies and the public may file views on the highlighted proposed modifications by January 12, 2011.

<sup>1</sup>A copy of the report is available on the Commission's Web site at the following address: http://www.usitc.gov/tariff\_affairs/hts\_documents/pub4178.pdf.

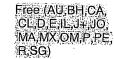
<sup>2</sup>75 Fed. Reg. 75695.

1. Subheading 6402.99.40 is superseded by the following:

Other footwear with outer soles or rubber or plastics:] [Other footwear:] [Other:] [Other:] [Other:] "Footwear with open toes or open heels; footwear of the slip-on-type; that is held to the foot without the use of laces or buckles or other fasteners, the foregoing except footwear of subheading 6402.99.20 and except footwear having a foxing or a foxing-like band wholly or almost wholly of rubber or plastics applied or molded at the sole and overlapping the upper: Having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. note 5 to this Chapter

6402.99.41

12.5%



35%

[Other footwear with outer soles or rubber or plastics:] [Other:] [other:]

#### ner P. I. S. A.

37.5%

Frée (AU,BH,CA, CL,E,IL,J+,JO, MA;MX,OM;P, PE,R) 7.5% (SG)

66%"

#### 6402.99.49

#### 2. Subheading 6404.11.70 is superseded by the following:

	I Coobuoor with outor and	oo 'l			
	Footwear with outer sole Footwear with oute				
	[Sports footwea				
	[Other:]				· ·
		ed over \$3 but:]			·
0 1 0 1 1 1 7 1	"(	Other:			
6404.11.71		With an upper of vegetable			
		fibers and having			
		an outer			
		sole with textile			
	· · · · · · · · · · · · · · · · · · ·	materials having			
,		the greatest			
	· · ·	surface area in contact with the			
		ground, but not			
•		taken into			
		account under			
	·	the terms of			
		additional U.S.			•
•		Note 5 to this	7.5%	Free (AU,BH,CA,	35%
		chapter	7.5%	CL,D,E,IL,J+,JO,	30%
				MX,OM,P,PE,	
				R,SG)	
				2.4% (MA)	
6404.11.75		With an upper of			
		textile material		,	
	•	other than vegetable fibers			
		and having an			
		outer sole with			
		textile materials			
		having the			
		greatest surface			
		area in contact			
		with the ground, but not taken into			
		account under			
		the terms of			
		additional U.S.		•	
•		Note 5 to this	10 FW	Harrow	APR I
		chapter	12.5%	Free (AU,BH,CA, CL,D;E,IL,J+,JO,	35%
				MX,OM,P,PE,	
			·	R,SG)	
				4.1% (MA)	
6404.11.79		Other	90¢/pr. +	Free (AU,BH,CA,	\$1.56/pr. +
,			37.5%	CL,D,E,IL,J+,JO,	66%"
				MA,MX,OM,P,	
				PE,R) 18¢/pr. +	
				7.5% (SG)	

### 3. Subheading 6404.11.80 is superseded by the following:

	[Footwear with outer s [Footwear with οι or plastics:]	soles:] uter soles of rubber	•	•	
	[Sports footw [Other:]	vear:]			
		lued over \$6.50 but		•	
6404.11.81	not	over \$12/pair: With an upper			
0404.11.01		of vegetable			
		fibers and having			
		an outer			
		sole with textile materials having	. ·		
		the greatest	•		
		surface area in		, .	
		contact with the			
		ground, but not			
4		taken into account under			
		the terms of	:		
•	•	additional U.S.			
	· .	Note 5 to this			
		chapter	7.5%	Free (AU,BH,CA,	35%
				CL,D,E,IL,J+,JO, MX,OM,P,PE,	
			• .	R,SG)	
				2.4% (MA)	
6404.11.85	÷	With an upper of			
	•	textile material other than			
		vegetable fibers			
		and having an			
	а. 1	outer sole with			
	•	textile materials			
	•••••••••••••••••••••••••••••••••••••••	having the greatest surface			
		area in contact			
		with the ground,			
		but not taken into			· .
	,	account under		•	
		the terms of additional U.S.			
		Note 5 to this			
		chapter	12.5%	Free (AU,BH,CA,	35%
· ·		· · · ·		CL,D,E,IL,J+,JO; MX,OM,P,PE,	
				R,SG)	
				4.1% (MA)	
6404.11.89		Other	90¢/pr. +	Free (AU,BH,CA,	\$1.56/pr. +
			20%	CL,D,E,IL,J+,JO,	35%"
				MA,MX,OM,P, PE,R)	
				18¢/pr. +	
				4% (SG)	. •

#### 4. Subheading 6404.19.40 is superseded by the following:

"6404-19.41

[Footwear with outer soles ...:] [Footwear with outer soles of rubber or plastics:] [Other:] [Other:] [Valued not over \$3/pair:] "Having soles (or midsoles, if any) of rubber or plastics which are affixed to the upper exclusively with an adhesive (any midsoles also being affixed exclusively to one another and to the sole with an adhesive); the foregoing except footwear having a foxing or a foxing-like band applied or molded at the sole and overlapping the upper and except footwear with soles which overlap the upper other than at the toe or heel: With an upper of vegetable fibers and having an outer sole with textile materials: having the greatest surface area in contact with the ground, but not taken into: account under the terms of additional U.S. Note 5 to this chapter .....

7:5%

35%

Free (AU;BH,CA, CL,D,E,IL,<u>J+,JO,</u>

MX,OM,P,PE, R,SG) 2.4% (MA)

[Footwear with outer soles...:] [Footwear with outer soles of rubber or plastics:] [Other:]

[Other:]

[Valued not over \$3/pair:] [Having soles (or midsoles, if any) of rubber or plastics which are affixed to the upper exclusively with an adhesive (any midsoles also being affixed exclusively to one another and to the sole with an adhesive); the foregoing except footwear having a foxing or a foxing-like band applied or molded at the sole and overlapping the upper and except footwear with soles which overlap the upper other than at the toe or heel:] With an upper of textile material other than vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter .....

Other .....

12.5%

37.5%

CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 4.1% (MA) Free (AU,BH,CA, CL,D,E,IL,J+,JO, MA,MX,OM,P, PE,R) 7.5% (SG)

Free (AU,BH,CA,

.

35%

66%"

6404.19.47

6404.19.49

#### 5. Subheading 6404.19.50 is superseded by the following:

	[Footwear with outer soles:]					
	[Footwear with outer soles	of rubber				
	or plastics:]		•			
	[Sports footwear:]					
	[Other:]					
	[Valued not o "Other:	ver \$3/pair.j				
6404.19:51		an upper of				
0404.119.31		table fibers				
		having an				
		r sole with				
•		e materials.				
		ng the				
		test surface				
		in contact			1	
		the ground, not taken into				
		ount under				
		erms of				
		tional U.S.			•	
•	Note	5 to this		արտաստարությունները է երկան երկրությունների համագատություններին։		
	char	oter	7.5%	Free (AU,BH,CA,	35%	
				CL,D,E,IL,J+,JO,		
				MX,OM,P,PE; R,SG)		
•	•••			2.4% (MA)		
6404-19.57	With	an upper of		C MARKAN (MA)		
0.7011.10.01		le material				
		r than				
		etable fibers				
		having an				
		r sole with				
		le materials				
		itest surface				
		in contact				
		the ground,				
		not taken into				
		ount under				
	the t	erms of	· .			
	the t addi	erms of tional U.S.	· .			
	the t addi Note	erms of tional U.S. 5 to this	12 5%		35%	
	the t addi Note	erms of tional U.S.	12.5%	Free (AU,BH,CA, CL D F II J+, IO	35%	
	the t addi Note	erms of tional U.S. 5 to this	12.5%	CL,D,E,IL,J+,JO,	35%	
	the t addi Note	erms of tional U.S. 5 to this	12.5%	CL,D,E,IL,J+,JO, MX,OM,P,PE,	35%	
6404.19.59	the t addi Note chap	erms of tional U.S. 5 to this	12.5% 48%	CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) Free (AU,BH,CA,	35% 84%"	
6404.19.59	the t addi Note chap	erms of tional U.S. e 5 to this oter	·	CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) Free (AU,BH,CA, CL,D,E,IL,J+,JO,		
6404.19.59	the t addi Note chap	erms of tional U.S. 5 to this oter	·	CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) Free (AU,BH,CA, CL,D,E,IL,J+,JO, MA,MX,OM,P,		
6404.19.59	the t addi Note chap	erms of tional U.S. 5 to this oter	·	CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) Free (AU,BH,CA, CL,D,E,IL,J+,JO,		

#### 6. Subheading 6404.19.70 is superseded by the following:

[Footwear with outer soles....] [Footwear with outer soles of rubber or plastics:] [Other:] [Other:] [Valued over \$3 but not over \$6.50/pair:] "Other: 6404.19.71 With an upper of vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter ..... 7.5% Free (AU,BH,CA, 35% CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 4.1% (MA) 6404.19.77 With an upper of textile material other than vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter ..... 12.5% Free (AU,BH,CA, 35% CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 4.1% (MA) 6404.19.79 Other . . . . . . . . . 90¢/pr. + Free (AU,BH,CA, \$1.58/pr. + 37.5% CL,D,E,IL,J+,JO, 66%" MA,MX,OM,P, PE,R) 18¢/pr. + 7.5% (SG)

#### readed by the following 4 11 7

7. Subheau	ny 0404.19.00 is su	perseded by the follo	wing.		
	[Footwear with outer [Footwear with o		•	· · ·	· .
	[Other:] [Other:]				
		alued over \$6.50 but			
		t over \$12/pair:			
6404.19.81		With an upper of			
9-10-3-4-0-0-1		vegetable fibers			
		and having an			
•	· · · · ·	outer sole with			
		textile materials			
		having the			
		greatest surface.			
	· · · ·	area in contact			
· .	· ·	with the ground,			
		but not taken into			
		account under the terms of			
		additional U.S.			
		Note 5 to this			
		chapter	7.5%	Free (AU,BH,CA,	35%
	•	Material Extension ( ) - 2012 COMPACT MALERIA		CLD,E,IL,J+,JO,	time rejet v
				MA,MX,OM,P,PE,	
				R,SG)	
•				4.1% (MA)	
6404.19.87	•	With an upper of			
		textile material		·	
		other than			
÷		vegetable fibers			
		and having an outer sole with			
<b>,</b> .		textile materials	•		
		having the			
		greatest surface			
		area in contact			
		with the ground,			
		but not taken into			
		account under		• •	
		the terms of			
		additional U.S.			
		Note 5 to this			
		chapter	12.5%	Free (AU,BH,CA,	35%
				CL,D,E,IL,J+,JO, MA,MX,OM,P,PE,	
	14 - Contract (1997)			R,SG)	
				4.1% (MA)	
6404.19.89		Other	90¢/pr. +	Free (AU,BH,CA,	\$1.58/pr. +
			20%	CL,D,E,IL,J+,JO,	35%"
				MA,MX,OM,P,	
				PĖ,R)	
				18¢/pr. + 4% (SG)	

#### Beck, David B.

From: HARMON, MYLES B [myles.harmon@dhs.gov]

Sent: Friday, January 14, 2011 4:43 PM

To: Beck, David B.

Subject: Inivestigation No. 1205-8

Mr. Beck:

We have examined the submissions by Pro Line Manufacturing Co. (Pro Line) and the Footwear Distributors and Retailers of America (FDRA), which were prepared in response to the Addendum to Investigation No 1205-8. In its request for comments, the ITC requested interested parties to submit evidence of trade of footwear of heading 6405, HTSUS, which would be classified under HTSUS subheadings 6401.99, 6402.91.90, 6402.99.40, 6404.11, and 6404.19, HTSUS, upon the implementation of Additional U.S. Note 5 to Chapter 64. More specifically, the ITC requested entries liquidated prior to April 13, 2010 (the initiation of Investigation No. 1205-8) and any supporting descriptions of the merchandise necessary to determine the classification of the footwear under Additional U.S. Note 5 to Chapter 64. See 75 Fed. Reg. 76595, dated December 6, 2010.

The Pro Line submission, dated December 21, 2010, contains fourteen entry summaries for footwear classified under heading 6405, HTSUS. Pro Line claims that the footwear subject to those entries would be classified under subheadings 6401.92.9060, 6401.99.1000, 6401.99.3000, 6404.19.20.30, and 6404.19.2090, HTSUS, by application of Additional U.S. Note 5. We have ascertained the liquidation dates for all of the entries cited in the Pro Line submission. In each instance liquidation took place after April 13, 2010.

The FDRA submission, dated December 7, 2010, contains eleven entries of footwear that were entered and liquidated under heading 6405, HTSUS. According to FDRA, these entries, combined with supplementary information on the merchandise, constitute evidence that the subject footwear would be classified under seven HTSUS subheadings not falling under heading 6405 upon the implementation of Additional U.S. Note 5 to Chapter 64. These subheadings are: 6402.99.40, 6404.11.70, 6404.11.80, 6404.19.40, 6404.19.50, 6404.19.70, and 6404.19.80. After reviewing the FDRA submission, we can confirm that the liquidation dates for the provided entries all took place prior to April 13, 2010. Likewise, based on the supporting documentation describing the footwear subject to the entries in the FDRA submission, we agree that the merchandise would be classified under the aforementioned seven HTSUS subheadings by application of Additional U.S. Note 5.

Please let us know if we can be of further assistance.

Myles B. Harmon Director, Commercial and Trade Facilitation Division Office of International Trade U.S. Customs and Border Protection 202 325-0276 (phone) 202 325-0155 (fax) myles.harmon@dhs.gov

"**%**".

## APPENDIX C

# **RECOMMENDED MODIFICATIONS TO THE HTS**

. · · · · . . 

1. Subheading 6402.99.40 is superseded by the following:

[Other footwear with outer soles or rubber or plastics:] [Other footwear:] [Other:] [Other:] [Other:] "Footwear with open toes or open heels; footwear of the slip-on type, that is held to the foot without the use of laces or buckles or other fasteners, the foregoing except footwear of subheading 6402.99.20 and except footwear having a foxing or a foxing-like band wholly or almost wholly of rubber or plastics applied or molded at the sole and overlapping the upper: Having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the

6402.99.41 00

to this Chapter ..... 12.5%

terms of additional U.S. note 5

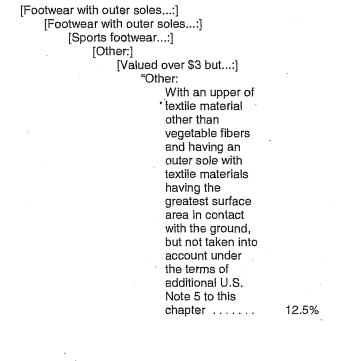
> Free (AU,BH,CA, CL,D,E,IL,J+,JO, MA,MX,OM,P,PE, R,SG)

35%

C-1

		[Other footwea	ar with o	outer soles or rubber				
		or plastics:]						
		[Other foc						
		[Othe						
	·	I	Other:]	_		*		
			[Oth					
•		_		[Footwear with				
				open toes or open heels;				
		· · ·		footwear of the			,	
				slip-on type,		•		
				that is held to				
				the foot without				
				the use of laces				
				or buckles or				
				other fasteners,				
				the foregoing				
				except footwear				
				of subheading	,			
				6402.99.20 and				
				except footwear				
				having a foxing				
				or a foxing-like .	•			
				band wholly or				
				almost wholly		•		
•				of rubber or				
				plastics applied or molded at the				
1				sole and over-				
				lapping the				·
				upper:]				
6402.99.49				Other		37.5%	Free (AU,BH,CA,	66%"
						07.070	CL,D,E,IL,J+,JO,	0070
							MA,MX,OM,P,	
		٠					PE,R)	
							7.5% (SG)	
	20			House		•		
				slippers				
				Other:				
	40			For mer				
	60			For wor	nen			
	80			Other				
			· .					
							·	
							· .	

2. Subheading 6404.11.75 is inserted in numerical sequence:



House

Other:

For men For women

Other

slippers

Free (AU,BH,CA, CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 4.1% (MA) 35%"

15

6404.11.75

đ

30 60 90

C-3

3. Subheading 6404.11.85 is inserted in numerical sequence: [Footwear with outer soles...:] [Footwear with outer soles of rubber or plastics:] [Sports footwear ...:] [Other:] "Valued over \$6.50 but not over \$12/pair: With an upper of 6404.11.85 textile material other than vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this 12.5% Free (AU,BH,CA, chapter ..... CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 4.1% (MA) House 15 slippers Other: For men 30 60 For women Other 90

## Appendix C - Recommended Modifications to the HTS

35%"

(a) New subheading 6404.19.41 previously recommended by the Commission in its final report on investigation 1205-8 (August 2010), is renumbered as 6404.19.47.

(B) The following new subheading 6404.19.42 is inserted in numerical sequence:

[Footwear with outer soles ...:] [Footwear with outer soles of rubber or plastics:] [Other:] [Other:] [Valued not over \$3/pair:] "Having soles (or midsoles, if any) of rubber or plastics which are affixed to the upper exclusively with an adhesive (any midsoles also being affixed exclusively to one another and to the sole with an adhesive); the foregoing except footwear having a foxing or a foxing-like band applied or molded at the sole and overlapping the upper and except footwear with soles which overlap the upper other than at the toe or heel: With an upper of vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter .....

7.5%

Free (AU,BH,CA, CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 2.4% (MA) 35%"

30 60 90

6404.19.42

4.

C-5

For men For women

Other

- 5. (a) New subheading 6404.19.51 previously recommended by the Commission in its final report on investigation 1205-8 (August 2010), is renumbered as 6404.19.57.
  - (b) The following new subheading 6404.19.52 is inserted in numerical sequence:

[Footwear with outer soles...:] [Footwear with outer soles of rubber or plastics:] [Sports footwear...:] [Other:] [Valued not over \$3/pair:] "Other: With an upper of vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter .....

7.5%

Free (AU,BH,CA, CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 2.4% (MA)

35%"

30 60 90

6404.19.52

For men For women . Other

(a) New subheading 6404.19.71 previously recommended by the Commission in its final report on investigation 1205-8 (August 2010), is renumbered as 6404.19.77.

(b) The following new subheading 6404.19.72 is inserted in numerical sequence:

[Footwear with outer soles...:] [Footwear with outer soles of rubber or plastics:] [Other:] [Other:] [Valued over \$3 but not over \$6.50/pair:] "Other: With an upper of vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter .....

For men

Other

For women

7.5%

Free (AU,BH,CA, CL,D,E,IL,J+,JO, MX,OM,P,PE, R,SG) 2.4% (MA) 35%"

30 60 90

6.

6404.19.72

(a) New subheading 6404.19.81 previously recommended by the Commission in its final report on investigation 1205-8 (August 2010), is renumbered as 6404.19.87.

(b) The following new subheading 6404.19.82 is inserted in numerical sequence:

[Footwear with outer soles...:] [Footwear with outer soles...:] [Other:] [Other:] "Valued over \$6.50 but not over \$12/pair: With an upper of vegetable fibers and having an outer sole with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional U.S. Note 5 to this chapter ..... . . . .

7.5%

Free (AU,BH,CA, CL,D,E,IL,J+,JO, MA,MX,OM,P,PE, R,SG) 2.4% (MA) 35%"

7.

6404.19.82

For men For women Other

# APPENDIX D

# CORRELATION TABLES

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. .

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## Appendix D - Correlation tables

	e
Proposed HTS No.	Current HTS No.
6402.99.4100	6405.90.9000
6402.99.4920	6402.99.4020
6402.99.4940	6402.99.4040
6402.99.4960	6402.99.4060
6402.99.4980	6402.99.4080
6404.11.7515	6405.20.9015
6404.11.7530	6405.20.9030
6404.11.7560	6405.20.9060
6404.11.7590	6405.20.9090
6404.11.8515	6405.20.9015
6404.11.8530	6405.20.9030
6404.11.8560	6405.20.9060
6404.11.8590	6405.20.9090
6404.19.4230	6405.20.3030
6404.19.4260	6405.20.3060
6404.19.4290	6405.20.3090
6404.19.5230	6405.20.3030
6404.19.5260	6405.20.3060
6404.19.5290	6405.20.3090
6404.19.7230	6405.20.3030
6404.19.7260	6405.20.3060
6404.19.7290	6405.20.3090

## Correlation Table Sorted by Proposed HTS No.

D-1

## Appendix D - Correlation tables

6404.19.8230	6405.20.3030
6404.19.8260	6405.20.3060
6404.19.8290	6405.20.3090

## Correlation Table Sorted by Current HTS No.

,	
Current HTS No.	Proposed HTS No.
6402.99.4020	6402.99.4920
6402.99.4040	6402.99.4940
6402.99.4060	6402.99.4960
6402.99.4080	6402.99.4980
6405.20.3030	6404.19.4230
6405.20.3030	6404.19.5230
6405.20.3030	6404.19.7230
6405.20.3030	6404.19.8230
6405.20.3060	6404.19.4260
6405.20.3060	6404.19.5260
6405.20.3060	6404.19.7260
6405.20.3060	6404.19.8260
6405.20.3090	6404.19.4290
6405.20.3090	6404.19.5290
6405.20.3090	6404.19.7290
6405.20.3090	6404.19.8290
6405.20.9015	6404.11.7515

**D-**2

## Appendix D - Correlation tables

6405.20.9015	6404.11.8515
6405.20.9030	6404.11.7530
6405.20.9030	6404.11.8530
6405.20.9060	6404.11.7560
6405.20.9060	6404.11.8560
6405.20.9090	6404.11.7590
6405.20.9090	6404.11.8590
6405.90.9000	6402.99.4100

## **APPENDIX E**

## SUBMISSION FROM McGUIRE WOODS LLP, ON BEHALF OF FOOTWEAR DISTRIBUTORS AND RETAILERS OF AMERICA (December 7, 2010, written views and customs documentation)

McGuireWoods LLP 1345 Avenue of the Americas Seventh Floor New York, NY 10105-0106 Phone: 212.548.2100 Fax: 212.548.2150 www.mcguirewoods.com

## McGUIREWOODS

December 7, 2010

#### Via Courier

Secretary United States International Trade Commission 500 E Street, SW Washington, D.C. 20436

#### Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States – Investigation No. 1205-8 (Addendum)

Dear Ms. Abbott:

This submission is made on behalf of Footwear Distributors and Retailers of America ("FDRA") in response to the Commission's request for certain entry documentation. 75 *Federal Register* 75695 (December 6, 2010).

FDRA is a trade association of some 125 retailers, importers, distributors and producers of footwear. FDRA members account for some three-quarters of United States retail sales and imports of footwear.

Investigation No. 1205-8 was prompted by a request from the Department of the Treasury ("Treasury"). The Treasury request addresses the classification of certain footwear with rubber/plastic ("R/P") outsoles to which textile materials have been attached. Under current classification approaches, this footwear is treated as having an outer sole of textile materials and is classified in heading 6405 of the Harmonized Tariff Schedule of the United States ("HTS"), generally at duty rates of 7.5% (vegetable fiber uppers) or 12.5% (uppers of other textile materials or R/P). Treasury recommended the creation

of Additional U.S. Note 5 which, in effect, would treat the textile material as an accessory or reinforcement such that it would not be considered in determining the material of the outer sole.

The Commission issued a report in August containing its recommendations regarding modifications. *Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States*, USITC Pub. 4178 (August 2010) (the "Report"). The Report acknowledges that with respect to certain subheadings additional consideration might be appropriate. Thereafter, on November 8, 2010, the United States Trade Representative ("USTR") requested that the Commission make additional recommendations relating to: 1) new submissions by interested parties on footwear classified at liquidation in HTS heading 6405<sup>1</sup> that under the modifications recommended in the Report would migrate to subheadings 6404.11 or 6404.19; and 2) whether the information previously provided by FDRA and others with respect to adding tariff lines in headings 6401 and 6402 was adequate.

FDRA submits the attached materials in response to the Commission's request. The materials consist of the page of the CBP Form 7501 that includes the line on which the particular shoe is listed, liquidation information, product information and a description intended to demonstrate where the shoe would have been classified if the textile material had been removed from the outer sole. Some value information has been redacted.

<sup>&</sup>lt;sup>1</sup> Liquidation must have taken place prior to April 13, 2010.

A summary of the information follows:

**A. 6402.99.40 (6405.90.90)** (These entries were provided to the Commission July 12, 2010.)

Entry No.	Line No.	Date/Entry	Date of Liquidation	Product Information
231/9841852-0	4	05/09/09	03/19/10	Lab report with picture

SR 1511006 is a women's flat (slip-on) with a rubber/plastic ("R/P") upper. The upper has a textile ribbon woven around the top line and a bow that is stitched down and is not considered a loosely-attached appurtenance. Taken together, the ribbon and bow represent more than 10 percent of the external surface area of the upper ("ESAU"). The shoe does not have a protective metal toe cap, is not protective, is not made on a base or platform of wood or cork, and is not a sandal produced in one piece by molding.

		•		
E6Q/0901032-7	3	04/15/09	02/12/10	Specification
				sheet with
•				diagram

Pattern No. DW212883-8 is women's high heel shoe with open toes and heels. The upper is R/P. The upper has metal accessories that represent more than 10 percent of the ESAU. The shoe does not have a protective metal toe cap, is not protective, is not made on a base or platform of wood or cork, and is not a sandal produced in one piece by molding.

#### B. 6404.11.70 (6405.20.90)

Entry No.	Line No.	Date/Entry	Date of Liquidation	Product Information
231/9846999-4	40/41	05/21/09	04/02/10	Picture

Lot No. 070308 is a women's jogger with an upper of non-vegetable fibers and a R/P outer sole. The sole overlaps the upper along the side of the shoe, *i.e.*, not at the toe or heel.

#### C. 6404.11.80 (6405.20.90)

Entry No.	Line No.	Date/Entry	Date of Liquidation	Product Information
231/5116200-8	23	05/06/06	03/16/07	Specification Sheet with Picture

Lot No. 48722 is an athletic shoe with non-vegetable fiber upper and R/P outer sole. The first cost is over 6.50 but less then 12/pair.

#### D. 6404.19.40 (6405.20.30)

Entry No.	Line No.	Date/Entry	Date of Liquidation	Product Information
231/3531524-3	1	04/23/05	03/03/06	Lab Report with Picture
	<u> </u>			Picture

Lot No. 38790 is a girl's "Mary Jane" with a cotton upper and an R/P outsole. The shoe does not have a foxing or foxing-like band and the sole does not overlap the upper. The shoe has a first cost of less than \$3/pair.

#### E. 6404.19.50 (6405.20.30)

Entry No.	Line No.	Date/Entry	Date of Liquidation	Product Information		
231/9294200-4	14	01/31/09	12/04/09	Picture		
	Lot No. 055981 is a women's slip-on with a cotton upper and an R/P outer sole. The shoe has a foxing and a first cost of less than \$3/pair.					

#### F. 6404.19.70 (6405.20.30)

Entry No.	Line No.	Date/Entry	Date of Liquidation	Product Information
E6Q/0841003-1	2	12/29/08	11/13/09	Specification
	[		· ·	Form

Pattern No. DW310517 a girls' slip-on with a cotton upper and an R/P sole which overlaps the upper around more that 50% of the shoe's perimeter and is a foxing-like band. The first cost is over \$3 but less than \$6.50/pair.

275/1375926-9	1	02/03/09	12/18/09	Classification Worksheet				
Style Phillia has a over \$3 but less t			g like-band and	its first cost is				
231/9214191-5	37	01/30/09	12/04/09	Picture				
Lot No. 067424 is a girl's casual shoe with a cotton upper an R/P outer sole. The shoe has a foxing. The first cost is over \$3 but less than \$6.50/pair.								

## G. 6404.19.80 (6405.20.30)

Entry No.	Line No.	Date of Entry	Date of Liquidation	Product Information				
275/13757701	2	02/01/09	12/18/09	Classification Worksheet				
Style P-HOP has a cotton upper and an R/P outer sole. It is an ankle height casual shoe and has a first cost over \$6.50 but less than \$12/pair.								
231/9822398-7	62	04/20/09	01/25/10	Specification and Picture				
Pattern No. DW113180-1 is a women's oxford height casual shoe with a cotton upper and a R/P outer sole. The shoe has a foxing and a first cost over \$6.50 but less than \$12/pair.								

FDRA is not able to provide liquidated entry documentation for subheadings 6404.11.40, 6404.11.50, 6404.11.60, and 6404.19.60. FDRA members experienced difficulty in locating entries of this footwear that would have been entered in subheadings 6405.20.30 and 6405.20.90. Since importers generally did not maintain a record of what the classification would have been in the absence of textile material attached to outer sole, locating entries required a manual search of a large number of commercial transactions to identify appropriate footwear styles. Only once a style was identified did it become possible to locate an appropriate entry. The complexity of the search coupled with the liquidation deadline made it very difficult to identify qualifying entries. While the four subheadings referred to above are important, it has not proven possible to identify supporting entries.

Please contact the undersigned if you have any questions on this submission.

E-6

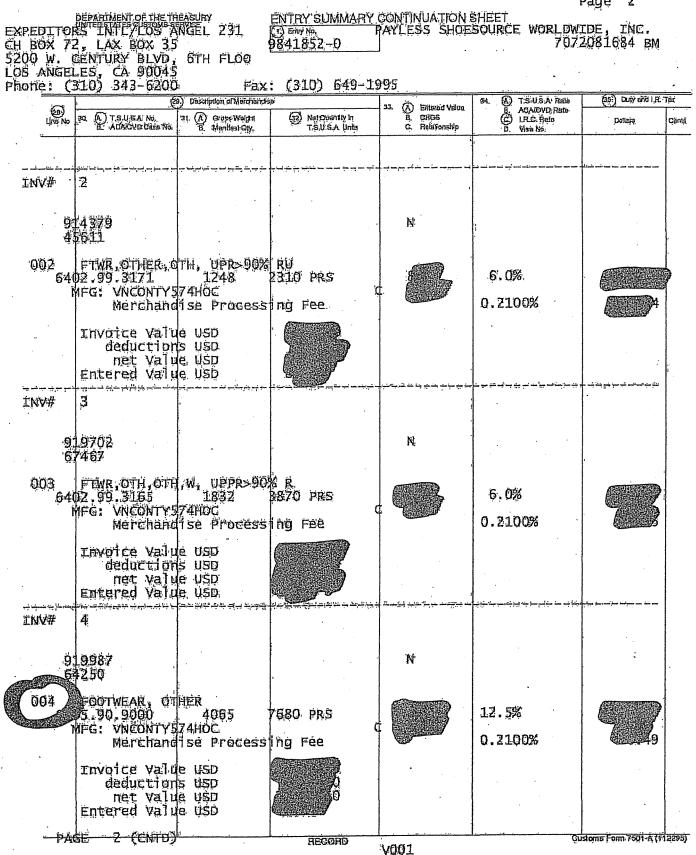
Respectfully submitted, McGUIREWOODS LLP

John B. Pellegrini

Enclosures cc: FDRA JBP:bam

\27654360.1

'age	2
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E-7

231-9841852-0 IRS# 43-164688400 TYPE 01 PORT 2704 \$47,096.74 EST, \$0.00 EST. TAX ENTERED: 05/09/09 FILED: 05/21/09 FULLY PAID RELEASED DUTY LIQUIDATED PAPERLESS STATUS INDICATOR! B COLLECTED ON 05/18/09 \$47,096.74 DUTY TAX # OF WITHDRAWALS: # OF EINES : 027 LIQUIDATE ON 03/19/10 \$47,096.74 DUTY IMPORT SPECIALIST TEAM 728 TAX EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES PAYMENT DUE: 05/19/09 REFERENCE # BOND: 897 460307621 9841852-0 FILING LOCATION 090522ESP 9841852-0 COLLECTION PROCESSING 06/18/09 COLLECTION 06/18/09 AMOUNT 48,526.50

CLASS 001 47,096.74 CLASS 499 485.00 CLASS 501 944,76

# Customs Laboratory Services LLC

10215 Fernwood Road, Suite 60, Bethesda MD 20817-1113 Phone/Fax: 301-564-4242 : E-Mail: <u>cisilclabrearahoo.com</u>

## **Report of Laboratory Analysis**

- To; Ms. Circly Marie Bermudez Payless ShoeSource Worldwide 323.1 ST. Sixth Street Topeka, KS 66607-2207 JF.785-295-2015; P.785-295-2082
- RE: American Eagle Black Ribbon/Bow Flat (SR No. 151 (006; Dept. 15; Woman's Size 6)

Ref.: CLS Project No. 0345-P15-2009

From: Aliya Grosfeld, Lab Director Customs Laboratory Services LLC

Date: April 1, 2009

Laboratory examination indicates that the shoe has an upper of rubber/plastic, a closed toc and heel, is of the slip-on type, and does not cover the arkle.

Laboratory analysis indicates that the outer sole consists of an otherwise functional rubber/plastic outsole that has been partially covered with applied (glued-on) textile flock (chopped textile fibers). The material of the outer sole having the greatest area in contact with the ground is as follows: 47.0 percent rubber/plastic and 53.0 percent fextile flock.

The plastic upper is decorated with a textile ribbon woven in and out just below the topline and a textile how at the vamp, both of which are "accessories & reinforcements." The textile ribbon and bow are estimated to account for more than 10 percent of the external surface area of the upper.

# R Nc. 1511006: Dept. 15: Woman's Size 6) 0345-P15-2009

American Eagle Black

Dayless ShoeSource

Ø OLC C

Form Approved OMB No. 1651-0022 EXP. 03-31-2012

DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection						1. Filer Code/Entry No.         2. Entry Type         3. Summ           E6Q-0901032-7         01         ABI/S         04/15/0			3. Summary	/ Date 788	
				DIECTION				7. Entry Dat			
		Y SUMN			353	353 8 3002 04/03/09					
8. Impor	ting Carrier		9. Mode 11	of Transport	10. Country of Origin 11. Import E CN 04/D3/09					Date	
	12. B/L or AWB No. 13. Manufactum			ufacturer ID				·		15. Export D	Date
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21. Location of Goods/G.O. No.  22. Consignee No.						23. Importer No. 24. Reference No.					
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002	FOOTWEAR, OTI 6405.90.9000		963 KG	972.00 PRS		<b>9</b>	12.5%			E C	
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OR PUI	RCHASER) OR AU	THORIZE	DAGEN	IT .		•				6	
I declare	that I am the Impor	ter of record	and that th	ne actual owner,			D. Ascert	aine	d Total	40. Total	
purchase	r, or consignee for CBP	purpases is	as shown	above, OR 🛛 owner				. •			59
or purcha	ser or agent thereof. I f	urther declar	e that the	merchandise 🔀 was d	btained pu	rsuant to a	purchase of	r agre	ement to pu	irchase and the	at the
	t forth in the involces are			ot obtained pursuant to a							
				id belief. I also declare t							
				tities, rebates, drawback lise either free or at redu				s anc	ane uue ar	iu correct, and	uaren .
				any Information showing							
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Report	Footwear Inc.			• •						04/03/09	
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	SE 32nd Street e. WA 98005 425-	586-4940								orm 7501 (0	6/00)
Bellevue, WA 98005 425-586-4940											1

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Gustoms Response 1.2.2. "我们不知道,我们就是你不能帮助你的你的是你们是你们是你的。" WALLS OAL 1 E60-0901032-7 Entry Summary Notice of Liquidation Response Type Thu 02/11/10 10:36 PM EST Received Liguidation Date 62/12/19 JCEP Document Filing Locationi L009041625P Liquidation Types No change Total Paid Duty: Liquidated Duty: Total Paid Fees: 516, 519 28 S16, 619-28 \$145 HL Liquidated fees: 5445.41

11/4/2010

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Upper Stitching			TAN	THREAD				AS SAMPLE	
Eyelete			1E GOLD	METAL					
Buckla			1E GOLD	METAL					
Buckle keeper			1E GOLD	METAL/					
Gore				ELASTIC		<u> </u>		follow the sales samp color for the 2 elastic	
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Sock	C09	80311-5	Gold	NAPPA METALL				3/4 sock	
Sock Logo		· · · · · · · · · · · · · · · · · · ·	BLACK	SCREENPRINT				ROCAWEAR LOGO	
Upper Uning	C09	8G311-5	Gold	NAPPA METALL	<u>IC PU</u>	L	. L.	<u>L</u> .	
BOTTOM :				•			•		
Outsole			BLACK	PVC SHEET	Tex.Tile cone	del		add embossed mini r	lb w/Rocawear lo
Toplift		•	BLACK	PU					
Edge			BLACK	PAINTED					•
Outsole Logo			1E GOLD FOIL	SCREENPRINT					
Hael Covering			BLACK		HINE LACQUER FINISH			Color es sample	
Platform Covering			1E GOLD	ABS W/ELECTR	ROPLATE	1		Color as sample	
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REPORT

Page 1 of 2

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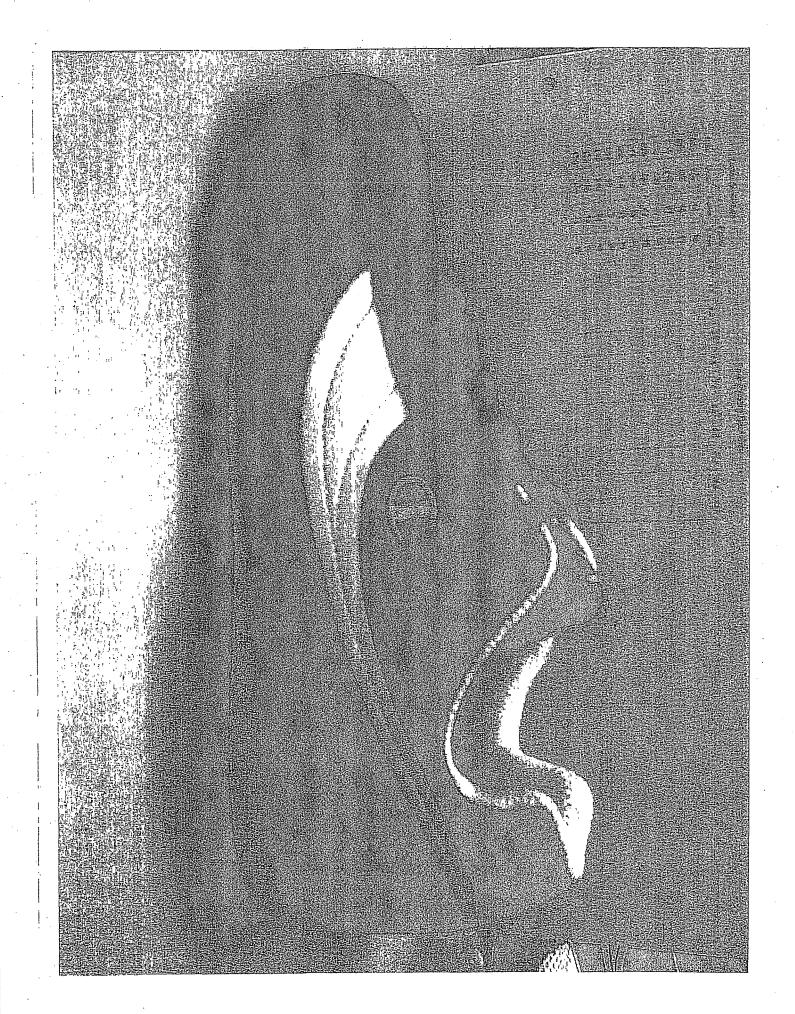
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						Page 14	
EXPEDITO	DEPARTMENT OF THE TE	EASURY NGEL 231	ENTRY SUMMARY	CONTINUATION	SHEET SOURCE WORLDW	IDE. INC.	
CH BOX 7	2, LAX BOX 35	· · ·	9846999-4			2088629 KY	
LOS ANGE	CENTURY BLVD, LES, CA 90045			· · ·	· . · ·		
Phone: (	310) 343-6200	Fax	: (310) 649-1	1	34. (A) 'T.S.US'A. Rete		Ter
(28) Line Jyo,			(32) Nel Ousan's hy hi T.S.U.S A. Units	33. (A) Enteroid Volue BL CHGS C. Relationship	E. ACA/OVD Rate C. LH.C. Bate	Dollars,	Cerils,
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	Merchand	ise Process	ing Fee	· · ·	0.2100%	2,41	
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			RECORD	<u>Frankana (1997)</u>	Ci	istoms Form 7501-A (1	12295)

291-9893330-4 IRS# 43-164688400 TYPE 01 PORT 2704 \$12,548.83 EST. DUTY \$0.00 EST. TAX ENTERED: 07/22/09 FILED: 08/04/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B COLLECTED ON 08/20/09 \$12,548.83 DUTY TAX # OF WITHDRAWALS: # OF LINES: 036 LIQUIDATE ON 06/04/10 \$12,548.83 DUTY TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES PAYMENT DUE: 07/31/09 **REFERENCE #** BOND: 897 460307621 9893330-4 FILING LOCATION 090805ESP \$53,292.06 EST. 231-9859276-1 IRS# 43-164688400 TYPE 01 PORT 2704 DUTY \$0.00 EST. TAX ENTERED: 06/13/09 FILED: 06/25/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B \$53,292.06 DUTY COLLECTED ON 07/21/09 # OF LINES: 049 TAX # OF WITHDRAWALS: \$53,292,06 DUTY LIOUIDATE ON 04/23/10 TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES PAYMENT DUE: 05/23/09 **REFERENCE #** BOND: 897 460307621 9859276-1 FILING LOCATION 090626ESP \$203,670.70 EST. 231-9846999-4 IRS# 43-164688400 TYPE 01 PORT 3002 DUTY \$0.00 EST. TAX ENTERED: 05/21/09 FILED: 06/04/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: R \$203,670.70 DUTY COLLECTED ON 06/18/09 # OF FINES: 151 TAX # OF WITHDRAWALS: LIQUIDATE ON 04/02/10 \$203,670.70 DUTY IMPORT SPECIALIST TEAM 785 TAX EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES PAYMENT DUE: 06/02/09 **REFERENCE #** BOND: 897 460307621 9846999-4 FILING LOCATION 09061053WX003001

231-9861908-5 IRS# 43-164688400 TYPE 01 PORT 2704 \$66,512.56 EST. DUTY \$0.00 EST. TAX ENTERED: 06/18/09 FILED: 07/01/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

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Page 7

EXPEDITOR	DEPARTMENT OF THE TR UNITED STATES CUSTOMS SE SINTE/LOSA	NGEL 231		CONTINUATION S	SOURCE WORLDWI		
-CH BOX 72	2, LAX BOX 35 CENTURY BLVD,	1	5116200-8	<b>J</b>	1011	.382982 E2	
LOS ANGE	LES, CA 90045			• •	•		
Phone: (3	310) 343-6200			995	<u> </u>	6 Datasalan	-T
(28)		Description of Merchandla	~	33. A Entered Value B. CHGS	34. (A) T.S.U.S.A. Rete B. ACAVOVD Rate	(35.) Duty and I.R.	T
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E-17

----- Forwarded by Andrew Decelles/LAX/Expeditors on 11/04/2010 07:57 AM

EXPD-LAX@EXPEDITO RS.COM

To 11/04/2010 07:54 andrew.decelles@EXPEDITORS.COM AM cc

> Subject ABI JR RESPONSE

Page 1ENTRY SUMMARY QUERY RESPONSE08:53:58A8

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11/04/10

231-5116200-8 IRS# 43-164688400 TYPE 01 PORT 2704 \$31,951.85 EST. DUTY \$0.00 EST. TAX

ENTERED: 05/05/06 FILED: 05/18/06 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

COLLECTED ON 06/20/06 \$31,951.85 DUTY TAX # OF WITHDRAWALS: # OF LINES: 027 LIQUIDATE ON 03/16/07 \$31,951.85 DUTY TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES REFERENCE # PAYMENT DUE: 05/16/06 BOND: 897 460307621 5116200-8

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DUTY \$0.00 EST. TAX ENTERED: 04/06/05 FILED: 04/19/05 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

COLLECTED ON 04/19/05 \$27,591.66 DUTY TAX # OF WITHDRAWALS: # OF LINES: 017 LIQUIDATE ON 02/17/06 \$27,591.66 DUTY TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00

EXTENDED TIMES REFERENCE # PAYMENT DUE: 04/15/05 BOND: 897 460307621 3524123-3

FILING LOCATION 050420ESP

231-3531426-1 IRS# 43-164688400 TYPE 01 PORT 3001 \$36,648.94 EST. DUTY \$0.00 EST. TAX ENTERED: 04/20/05 FILED: 05/03/05 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

\$36,648,94 DUTY COLLECTED ON 05/03/05 TAX # OF WITHDRAWALS: # OF LINES: 028 LIQUIDATE ON 03/03/06 \$36,648.94 DUTY TAX IMPORT SPECIALIST TEAM 787 EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES PAYMENT DUE: 04/29/05 **REFERENCE** # BOND: 897 460307621 3531426-1

FILING LOCATION 050504ESP

231-3531524-3) IRS# 43-164688400 TYPE 01 PORT 2704 \$11,086.64 EST. DUTY \$0.00 EST. TAX ENTERED: 04/23/05 FILED: 05/05/05 FULLY PAID RELEASED LIQUIDATED PAPERLESS

STATUS INDICATOR: B

COLLECTED ON 05/05/05 \$11,086.64 DUTY TAX # OF WITHDRAWALS: # OF LINES; 016 LIQUIDATE ON 03/03/06 \$11,086.64 DUTY TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00

EXTENDED TIMES REFERENCE # PAYMENT DUE: 05/03/05 BOND: 897 460307621 3531524-3

FILING LOCATION 050506ESP

2



## CONSUMER TESTING LABORATORIES, mc.

430 S. CONGRESS AVENUE, SUITE 1B • DELRAY BEACH, FL 33445 TEL: (561) 330-3081 • FAX: (561) 330-7712 • florida@consumertesting.com

#### LABORATORY REPORT NO.: 16915

TO:

Payless ShoeSource P.O. Box 1189 3231 East Sixth Street Topeka, KS 66607 DATE: February 14, 2005 DEPT: Not Provided (BCNY L/R) Lot No.: 38790

ATTN: Cindy Marie Bermudez

SUBJECT: One Half (1/2) Pair of children's pink canvas Mary Jane featuring Predominately Textiles upper of cotton canvas fabrics and a Textiles and Rubber/Plastic Outer Sole; Labeled: Teeny Toes® Lot # 38790; Size: 4; Color: Hot Pink; Made In China; Dated: 11/05/04

**REASON FOR ANALYSIS:** To determine the constituent material of the outer sole, i.e. the material having the greatest surface area in contact with the ground. All measurements were made in accordance with U.S. Customs Laboratory Method 64-01. The area measurements were made using Tamaya Digital Planimeter Model Planix 5. All materials were identified either by microscopic examinations, chemical analysis or burning tests.

EVALUATION OF FINDINGS: The following observations are made:

Visual examination of the submitted sample indicates the outsole is composed of unit-molded bettom to which layers of textile materials have been bonded to the external surface of the outer sole, which is in contact with the ground. It should be noted that the textile fibers are visible on external surface of the textile layers with unaided or naked eye. Further observations under 8X and 30X magnification confirmed the above finding with an additional indication that the textile material is of non-woven construction and there is no rubber/plastic coating on the surface of the textile material or any significant amount of polymeric material migrating through the fibrous structure of the textile inserts.

In the test, the impression of the "outer sole" in contact with the ground simulating taking steps, was obtained.

Material	% External Surface Area of the Outer Sole In Contact With the Ground
Textiles	61,64
Rubber/Plastics	38.36



Terms and Co

Specialists in the Ivaluation of Consumer Products Since 1952

ditions: Use of Consumer Testing Laboratoritis name and/or cast is not permitted without our written authorization. Our reports apply only to the individual sample tasted. Consumer Testing Laboratories flability is strictly fimited to involce amount.

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#### CONSUMER TESTING LABORATORIES, INC.

#### Client: Payless ShoeSource

Laboratory Report No.: 16915 Page 2

Based on the above observations, the constituent material of the outsole is classifiable as "Textiles" under HTSUS for all duty purposes.

Based upon above analysis, as constructed, the submitted Footwear, in which the external surface area of the outer sole is predominately textile and the upper is of predominately vegetable fiber (Cotton fibersconfirmed by burn tests) is classifiable under HTSUS subheading 6405.20.3060. The general duty rate for this subheading is 7.5%.

It should be noted that this information is provided to our clients to assist them in estimating duty rates and/or in designing their product. Consumer Testing Laboratories has no connection whatsoever will U.S. Customs, and this classification should not be considered as an official ruling. Our report is provided using the most recent information regarding the Harmonized Tariff Schedule. Our findings may be contrary to U.S. Customs interpretations.

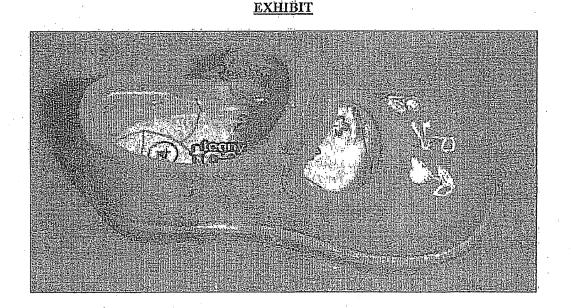
CONSUMER TESTING LABORATORIES, INC.

Doug Freach

 HEMANT PATEL
 DOUG FRANKLIN

 VICE PRESIDENT & TECHNICAL MANAGER
 HARDLINES MANAGER

 NOTE:
 Unless notified in writing, all samples will be disposed of after thirty (30) days.



Specialists in the Evaluation of Consumer Products Since 1952

Terms and Conditions: Use of Consumer Tosling Laboratories name and/or seal is not permitted without our written authorization. Our reports apply only to the individual sample tested. Consumer Testing Esboratories liability is strictly imited to invoice amount.

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6404.19.50

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EXPEDITO	DEPARTMENT OF THE T	NGEL 231	ENTRY SUMMARY	CONTINUATION	SHEET SOURCE WORLDW	IDE, INC.	
CH BOX 7	2, LAX BOX 35 CENTURY BLVD,	5	9294200-4		707	2014261 KY	
LOS ANGE	LES, CA 90045	<u>.</u>	- 79105 640 14	005			•
· · ·	310) 343-620(	) Fax 8) Description of Marchand			34: A TEUSA Hinte	(35.) Dirivend I R.	Tex
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Page 1. ENTRY SUMMARY QUERY RESPONSE 14:44:07 A8

231-9822398-7 IRS# 43-164688400 TYPE 01 PORT 2704 \$63,257.59 EST. DUTY \$0.00 EST. TAX ENTERED: 03/20/09 FILED: 04/02/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

10/26/10

\$63,257.59 DUTY COLLECTED ON 04/20/09 # OF LINES: 091 TAX # OF WITHDRAWALS: LIQUIDATE ON 01/29/10 \$63,257,59 DUTY IMPORT SPECIALIST TEAM 723 TAX EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES PAYMENT DUE: 03/31/09 **REFERENCE** # BOND: 897 460307621 9822398-7

FILING LOCATION 090403ESP

231-9294200-4 IRS# 43-164688400 TYPE 01 PORT 2704 \$44,925.53 EST. DUTY \$0.00 EST. TAX ENTERED: 01/19/09 FILED: 01/30/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

COLLECTED ON 02/20/09\$44,925.53 DUTYTAX # OF WITHDRAWALS:# OF AINES: 052LIQUIDATE ON 12/04/09\$44,925.53 DUTYTAX IMPORT SPECIALIST TEAM 723\$44,925.53 DUTYEXT/SUSP CODEDATE 00/00/00EXTENDEDTIMESREFERENCE #PAYMENT DUE: 01/28/09BOND: 897 460307621\$460307621

9294200-4

FILING LOCATION 090201ESP

231-9294191-5 IRS# 43-164688400 TYPE 01 PORT 2704 \$23,052.91 EST. DUTY \$0.00 EST. TAX ENTERED: 01/19/09 FILED: 01/30/09 FULLY PAID RELEASED LIQUIDATED

PAPERLESS STATUS INDICATOR: B

COLLECTED ON 02/20/09 \$23,052.91 DUTY TAX # OF WITHDRAWALS: # OF LINES: 046 LIOUIDATE ON 12/04/09 \$23,052.91 DUTY

## CSMQueryList1 - V1.2

Search Area

## Page 1 of 1

Export Managements

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#### Payless Shoesource International

http://www.qualityworks.hk/CSMproject/CSMShowPicture.ASPX?PIC=M00006549520090514170527.JPG 10/26/2010

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-				Lien	idated	11	13/2	000	7		
	6	1.7			; in a nor	1					Page 1 o. 1651-0022 . 03-31-2012
	DEPARTMENT O	F HOMEL	AND SEC	URITY	1. Filer Code/I					3. Summa	ry Date
• .	U.S. Customs	and Bor	der Prote	ection	E6Q-084100				ABI/S	01/09/09	
	ENTR	Y SUMN	IARY		4. Surety No. 353	5. Bo 8	nd Type	6. P 410		7. Entry D 12/29/08	
8. Import	ing Carrier		9. Mode o	f Transport	10. Country of	f Origi	n .	L		11. Import	1
1	RDAM BRIDGE		11		CN				· · · · · · · · · · · · · · · · · · ·	12/22/08	
	r AWB No. (IA0158900		13. Manuf HKASE	acturer ID ECOR1713HON	14. Exporting Country CN				15. Export 12/06/08		
16. I.T. N	19. Foreign Po	ort of l	Lading			Port of Unla	ding				
V05391	16797 tion of Goods/G.O. N	12/22/08	onsignee N		57069 23. Importer N				2709 24. Refer	ance No	
1	oyage: 46E		91904200		91-1919042				24. 148161	61100 140.	
1	ate Consignee Nam				26. Importer o	fRec	ord Name	and	Address		
REPOR	RT FOOTWEAR IN SE 32ND ST				REPORT FO			IC			
	ition: OH ELLEVUE	Custon	ner Refere	ence # Justice 668 Zip 980054436	City BELLE	VUE			State	WA Zip 98	0054436
27.	····	Description			32.		A. HTSL	33.		3 Duty and I	H. R Tay
	29,	3	0.	31.	A. Entered Ve	aiue	B. ADA/	CVD		Dollars	Cents
Line No.	A. HTSUS No. B. ADA/CVD No.	A. Gross B. Manif		Net Quantity in TSUS Units	B. CHGS C. Relationsh	ip .	C. IRC F D. Visa I				Cents
0.04	MANEOOTMADI	- 0110/01	A C-6405	1,683 PKGS							
001	M/W FOOTWARE 9902.13.92 FTWR,OTH PER	2,	790 KG	FIR			6.5%		·		<b>199999</b> 9
	6405.20.3090	001,011		7,375.00 PRS			FREE		••••		\$0.00
		499 - N	vierchandi	se Processing Fee Intenance Fee		'N	0.210				4000 <del>7</del> 7 A-507
002	FTWR,WOM,UPI 6405.20.3060	PERS OF		********************************	\$45	5,073					
	0403.20.3000	£.,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,								
		499 - 1	Verchandi	se Processing Fee			0.210				400055 Anora
003	M/W FOOTWAR	*************		Intenance Fee		•••••	0.120				
Other F	ee Summary for Bloc	k 39   35.	Total Ente	red Value	CBP US	E O	NLY			TOTA	LS
499 - M	PF @	904-830 979-979 \$3			A. LIQ CODE		B. Asce	rtaine	d Duty	37. Duty	
501 - HI	IVIF 4-		al Other Fe	ees		-	C 4000		d Tay	38. Tax	<b>A</b>
					REASON CC	DE	C. Asca			50. TAA	
36. DE OR PU	CLARATION OF IN IRCHASER) OR A	MPORTER UTHORIZI	R OF REC	ORD (OWNER T			D. Asce	rtaine	d Other	39. Other	\$107 <u>.</u>
	e that I am the Impo er, or consignee for CB			e actual owner, above, OR 🔀 owner			D. Asce	rtain	ed Total	40. Total	<u>1150</u>
or purch	aser or egent thereof. I	i further decla	are thet the r	nerchandise 🛛 was	obtained pursua	nt to a	purchase	or ag	eement to p	ourchase and	that the
prices se	et forth in the involces a	re true, OR	was no	t obtained pursuant to	a purchase or ag	preeme	ni to purcl	1850 i anto 4	and the stat	ements in the	Invoices as
lio value	or price are true to the lowledge and belief the	Dest of my kr	iowiedge an ralues, quant	u pener, i also declare lities, rebates, drawbac	ks, fees, commis	ssions.	and royali	ies a	nd ere true a	and correct, a	ind that all
goods of	r services provided to th	e seller of th	e merchandi	ise either free or al redu	icèd cost ara full	iy disck	osed.				
	nediately furnish to the	appropriate (			e different state	ment с NATU	of facts. RF			DATE	
	CLARANT NAME		TITL	<b>L</b>	516					12/22/0	08
42. Bro	ker/Filer Information	(Name, add	ress, phon	e number)	43. Broker/Im 0841003	porter	File No.				
13150	SE 32nd Street	-	_								
Bellevi	Je, WA 98005 425	-586-494(	J		1				CBP F	Form 7501	(06/09)

Item 7.01. Regulation FD Disclosure

TRG Dire	
Homer Account	Trade Parmers, Entries, ISE, Statements, Transmissions, Resources, Help Cent
E50-0841003-1	Customs Response
• <u>Main Merru</u> • <u>Header Information</u> •Manifest Records	Entry Summary E6Q-0841003-1 Response Type Notice of Liquidation Received Thu, 11/12/09 10:07 PM PST
• <u>ISF Information</u> • <u>Transmit Entry</u>	Message Liquidation Date: 11/13/09
•7501: <u>Print Email</u> •3461: <u>Print Email</u>	CBP Document Filing Location: LQ090111ESF Liquidation Type: No change
<ul> <li>Print Notice of Arrival</li> <li><u>View Statement</u></li> <li><u>Statement Date Update</u></li> </ul>	Total Paid Duty:\$11,293.25Liquidated Duty:\$11,293.25Total Paid Fees:\$481.25
<u>• Delete Entry</u>	Lignidated Fees: \$461.25 November 2019 The second s

Thank you,

Branded					ç		ATION FO	DM	SPEC N	O : SP000047458 Rev 8
Dianucu										1
SHOE NAME :	EYELE1	BAI	LET		Pa	ttern Numb	er DW310517-	-7	•	
GENDER LAST	Kids DW81841	м	CONSTR	RUCTION	Cement	ed	DEVELOPMENT STAGE : Pro	duction	1	l ) , Upper as DWe10178F w CRH as sketch.
COPIED FROM ORIGINAL	SP000042	2850	COLOR		WHITE			USA LB LB	•	bow moved in its
FORMERLY			DIVISIO	N <sup>1</sup>	Justice Brandec		US PD PD COORDINAT			
SIZE RANGE	C4/		CATEGO	ORY	Casuals Spring 2		FACTORY			ICONF
UPPER :		ne dones								
Upper Material A	A	Т		White		Domestic eyelet	of cotton	T		as V523W115
Backstay				WHITE		HEAVY COTTON	N WEBBING		M/A	
Binding		15m	m	WHITE		HEAVY COTTON	N WEBBING		m/a	
Bow	-			White		Domestic eyelet	of cotton			BOW ON THE SIDE AS SR 46790, DW310517A-1, 8/8/08 EXCEPT:
Upper Stitching				m/u		stitch				
LINING :										
Sock	Γ	T		White		6N CANVAS				sock w/ binding
Sock Binding		1		WHITE		cotton webbing		20MM	M/U	
Sock Logo		1		silver		S/P		JUSTICE HEART		
Upper Lining		1.		White	·	6N CANVAS				
Counter Lining				m/ŀ		non woven				
BOTTOM :								· . · ·		
Midsole		1		WHITE		EVA				
Outsole				GUM A8		TEXTILE + Flow	er Crepe			

113

#### **GENERAL COMMENTS :**

ALL DETAIL AS PO # 135191, DW310517, 9/12/08

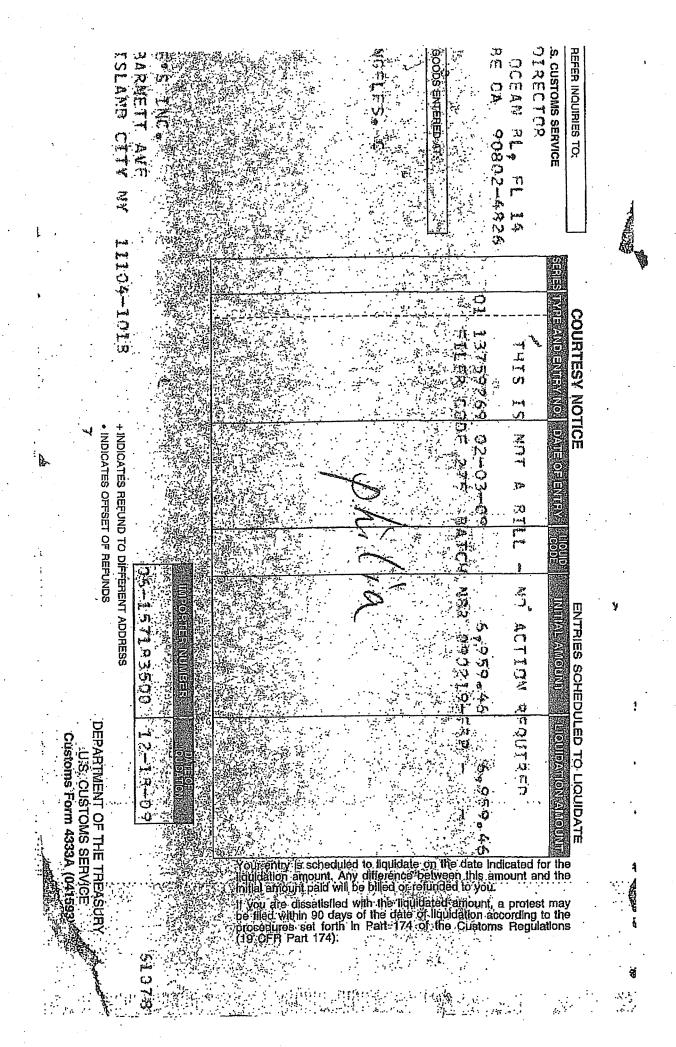
6-01-20.200 5-04

ATTACHMENTS :

or forribly 6404.19.35

6404.19.70

#### DENARTMENT OF THE TREASURY ENTHY SUMMARY <sup>O</sup>TWEV26-P R) Entry Type Conta VI HINI / fr d-ata antimuational the H XCH 地交时 5,51 ADDY WE CENTURY TILVD., 4980 LOB ANDELUS DA 90048 (318) 895-8900 A. Enloy Hala (E.) Poin Coolo B. BONUNG 7. BORUTYPh Cods t. Wakertin and the ba FQ 1 (1() Interestor of Horizon Humin and Athlasa 影響理學」加速的 D. Unamato-Contelprov Namo with Address Corrse has strutte a tho. Dhilia Haig bankert ave. Long teland ofty NY 11104 14/ Export Dana (13) Emisythis Couliny (6) Country of Onton III. Masing Documoria ' ርል **Stato** (17.) I. T. No. (18.) 1.7. Dalp 20. Mode of Dansportinum L.I. CHERT CLOSOR 22, Roloronce No. "UNKENTOP 1 OXIA A24. Fölglin Poll om jänd (E1) Importing Carilor THE TEXAB 201102 PROTIES CONTAIN 20. 115. Port of Unlacking 27. 2.41 Contract Data A TEU.BA Noto B. ADACVD Halo G. LICO Halo D. Von Ho. (15) Duty Duti LEI, Th 80,) 'Denniption of Morchander A). Entorod Vakin B: Olige C, Haleboustyp 33. 2B) Lina No. ADA OVO Canad No (A) Grone Wolden B, Halliert Oly. S. Not Outshilly hi T.S.U.B.A. Uhu **11**. 30. Dóllinn Conis 2.093 FOOTUBAR .... 2009 宋庄平 时初期0 THU. MO, OOL OOL M/W FOUTIMRE, NUMPERADIA 405 6.027 **北部港南市** 户路印 倍出: 深水井 **走得** 器 中心常,北方,分层 CHARLEN THE 4408.20.3090 0862 0421. % MERCHONDIGE PROCESSION 存制路 (10) AV 1 FIAREROR MATHIENANDE PER 0.120 8 distants b ٠, THY VAL 事 鐵山 ENTVAL. ъŝ FICH OOD THU. FILRER BY DUHMORY MEAN 内型線 iti and 中的即 EXO1 Total enterned values del de la competition ന U.B. CUSTOMS USE TOTALS (31) Declovation of Jingoria of Record (Dyner or Rinchastor) of Authorized Agant. Ideolaro (hái) tăn the Infootifr (I incout end trai the natural Original (I incout end trai the natural Original (I incout end trai the natural Original (I incout end training) Indust (Incout end training) Arx equation (I in Information Arx equation (I in Information (I inclusion end Arx equation (I in Information end Arx equation (I information (I information end Arx equation end Arx equation (I information end Arx equation end (1) Ditty A. Lki Code B: Astiontomo 5.7 A comor or purchabar or (i) The C. Ascortispol Tax Lapronung tor inguisting and the second sec D: Ascollawielt Only ( Othor 治疗乳 09 E. Ascoltninoli Total (4ª) Toini 台。"伊斯学 Buomanica Massadi d'Alladdhi tana or mans. Henra nequilad by Fabaranak Fabiratan Act of 1000. This Mamminus is nanded to ensign that income (1) formating a Decklard The part 1910 of 48 1/90/09 Customs Form 7601 (112298)



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			• ,						
		·							
		PRE-CLASS	SIFICATION WOR	KSHEET FOR	MPORTED FOOTW	FAR	$(\mathbf{r}, \mathbf{r})$		· · · ·
· · .		111- 94-144				ECIL			•
	<ol> <li>DIV / Style ni</li> <li>Vendors style</li> </ol>				US HTS# Quoted Duty Rate	840	5.20.3080/9902.13.92 6.5 %		
• •	3. Color Code/s	ويتبار ومستجرب والمراجع والمتحد المتحدث والمتحدث والمحارج والمحا					0.5 %		
			rea of upper (inc)	uding reinforce	ments & eccessories	) which is:	%		
		•			and the section on the data	·	·		
	Leat	oer and/or Plasilc	10 %	(specity typ	oe: bovine, plg, kid,	iamo, repute, ou	nərj		
		le Materiale	85 %	(Specify ty	pe: Canvas,)				
	•	r Material/s	5		pə; Bucklə,)				
	Tola 5 Perceniage r		100 %	(100%) (including relation)	orcements and acce	senties) which is:			
	<b>e</b> , ( <b>e</b> ,								
		<b>h</b>					etch He		
	Leal	ner ber and/or Plasiic –	45 %						
· · ·		lie Materiale	55 %						
	Woo	•	%			//			
	Othe Tola	r (Specific type)	100 %	<sup>4</sup> (ESO Tech, (100%)	Fabric)				,
	1010	' L		1100101	N. SARE		得到了多		
	6. In answering	3 or 4 above, did y	'ou consider any p	leces to be "acc	essories" or reinforc	ement"?	Yea		
					Vor	ble	v .		
	7. Is the tootwe	ar disposable (i.e. i	ntended for che-ti	ime userr	Yes	No	<u>^</u>		
	8. Is the footwe	ar designed for spo	nts activity and do	es it have spike	s, cleais, eic., or pro	vision for eitachm	ent of such?		
	Y.	es	No <u>X</u>						
· · ·	D. Cherk If the	footwear is one of t	he following:						· ·
		ing boots, wresling		ots, or cycling si	1085				
	Skl-I	pools, cross-country	y ski footwear, or i	snowboard boot	5 ·			· ·	
		nis shoes, baskelba e of the above	il shoes, gym sho	ies, training sho	es or the like				
	Non	a of the above			•		•		
	10. Is the footw	ear worn exclusive	y by men, youths	or boys?	Yөз	No	<u>x</u>	. •	
		otwear have a prot		ap?	Yes	No	<u>×</u>		
		l is the height of the ers the knee or high						•	•
		ers the ankle but no					•		
	Doe	a not cover the ank	18	<u> </u>	,	•	٠	<b>د</b> .	
	A Complete a	nly if outer soles a	and unners are m	ubber or plastic	:8:				
	1. Percent of en	dernal surface area	of upper (including	ig all reinforcem	ents and accessorfe	s) which is rubber	and/or plastics;		
	-	<u>%</u>		an attaking give	fine polline consult	a shisalaa or sim		•	
	2. Is it waterpro	or and assembled	by means biner in	ian suiching, rive	ating, nalling, screwin Yes	9, plogging of sin No	Inai hioreseest		
	3. Is the extern	al aurface area of t	ne upper and sole	(including reinfo	precements and acce	saorles) over 90%	6 polyvinyl		
		(	xhloride PVC?	•	Yes	No			н. С
	4. Is the tootwe	ar designed for use al surface area of ti	r winour closures: ne unner (includin	r a reinforcement:	Yes and accessories) or	No ver 90% rubbaran	d/or plastic?		
		•			Yes	No	,		• • ·
	List	acceasoriea or reini	forcementa and w	hat their percent	iage is on the extern		the upper?		
		ومعادلين فالبروسيدان التحد بالماضين			<del></del>	%			
						%			·
				u of, other footw	ear as a protection a	gainst water, oli, ç No	grease,		
	chemicals	or cold or inclemen	t weener? ering the ankle ar	nd are entirely of	Yes non-molded constru		3 cm above the		
	top	of the outer sole?			Yes	No			
	7. Does the foo	iweer have a foxing	) or foxing like bar	nd applied or mo	ided at the sole and		pper?		
	F& m'''	as" is the fouling or	inxing-like hand u	holiv or almost v	Yes whally of rubber or pl	No estic?			
	п У	or the reaction of	WIND NOT DOILD NOT	many or addredt	Yes	No	-		
							·		
				·					
		•				5			
					•				
		-							
•		1							

		E-32	

<ol> <li>Check which of the following characteristics does the is it made on a base or platform of wood ?</li> <li>Is it made on a base or platform of cork ?</li> <li>Does it have open toes or open heels ?</li> <li>Is it the silp-on type ?</li> <li>Made of exclusively edhesive construction ?</li> <li>Is it a "Zoris" ?</li> <li>None of the above</li> </ol>	میکند. میکند دینی میرید میرونی میرونی میرونی میکند و میکند و میرونی میرونی میرونی میکند. میکند و میکند و میکند میرونی میکند.	81		
B. Complete only if the outer soles are rubber, plaat <u>uppers are leather:</u>				
1. Regarding the lealher pleces (if any), are they coated	t or laminated with n	ubber and/or plastics	?	·
Coaled Laminated	Neither	Noi Applic	abie	
If "Yes", how thick is the coating to the near			mm	-
2. Check which of the following characteristics does the	footwaar Dossassa	s?		
Well ('Good Yeer') construction	i ibuliibui poudoudo			
Turn or lurned construction				
Uppers consisting of leather siraps			•	
across the instep and around the big toe				
Mede on a base or platform of wood				
Uppers of pigskin	1	· •		
None of the above				
<ol> <li>Does the footweer have a foxing or foxing</li> <li>If "yea", is the foxing or foxing-like band who</li> </ol>	Yes liy or eimost wholly c	x Nor plasiic?	10	he upper? -
	Yes		10.	<b>.</b> .
<ol><li>Percent of external surface area of upper accessories):</li></ol>	which is leather (inc	Nuding leather reinfor	cements and	
<ol><li>Percent by weight of rubber and/or plastic</li></ol>	:s ls:	%		
<ol> <li>Is footweer less than 10% by weight of running number, and/or plastics?</li> </ol>	bber and/or plestica Yes	or not over 50% by v No	velght of lextile m x	ateriais,
5. Percent by weight of textile material(s) plu			%	
6. Check which of the following cheracterist	on dear the feetules	r noceocci		
Designed to protect against wate	r, oll, grease	i pusses.		
chemicais, or cold or inclement	I Weather?	a a construction of the second se		
is it the slip-on type ?			•	
Does it have open toes or open h	ieels?			
Made of exclusively adhesive co	nstruction acles			
which overlap the upper except				
Are the sole and upper made of t				
None of the above?		X		
7. Percent of the fibers of the upper, which by weight, a	re vegeteble fibers (		20	%
VIAMENTOD MOUNTAIN TRADE OO 1 TO	SUSAN	EANO	· · · ·	,
XIAMEN TOP MOUNTAIN TRADE CO.,LTD (Vendor's Company Name)		Ized Signalure)		· · · · · · · · · · · · · · · · · · ·
(venuor a company vame)	liomary	iran aifiiginia)	Dara	

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6404.19.70

Page 12 .

CH E 5200 LOS	IOX 72 W. C ANGEL	DEPARTMENT OF THE THE SS INTEALOS A 2., LAX BOX 35 CENTURY BLVD, ES, CA 90045 310) 343-6200	NGEL 231 6TH FLOO	0294191-5	AYLESS SHOE	SHEET SOURCE WORLDW	Page 12 IDE, INC, 2014272 07	
	(B)		Description of Merchands		39. (A) Entered Vatua B CHQS	34. (A) T.S.U.S.A. Rate B. ACA OVD Rate	(35) Duty,and I.R.	1
	Line No.	30, A. T.S.U.SA NO H. ADAVEVID Gase No.	31. 🚯 Gross Weight B. Manitési Chy.	. (32) Net Quentity In T.S.U.S.A Units	B CHOS C. Relatonship	D Visa Na.	Dæliøs	Contà
		Invoice Valu deduction net Valu Entered Valu	s USD ë USD		والمنافقة	۔ جو بی بی اور میں میں اور	· · ·	
ЧI	₩# 2	26		)				
	80 67	7157 424		6404.19.70	N			
ï	)37 64(	FTWR,WOM,UPP 5,20.3060 FG: CNDOUEXP	1	TBER 165 PRS	611 1	7.5%	45.83	
	1	Merchand	ise Process	ing Fee		0.2100%	1.28	
(		M/W FOOTWARE	1	4052030	Ó		0.00	
		FG: CNDOUEXF FTWR,OTH PER 5,20.3090	SON, UPPERS	VEG FIB 1410 PRS	5220	6.5%	339.30	•
		Merchand	ise Process	ing Fee	1	0.2100%	10.96	
		Invoice Valu deduction net Valu Entered Valu	s USD e USD	5985.00 153.75 5831.25 5831				
I	WV# 2	+ 27						
		97681 2437		•	N			
. (	039 641 1	FTWR,WOM,UPP 05.20.3060 FG: CNDOUEXP Merchand	1	TIBER 340 PRS		7.5% 0.2100%		
l		M/W FOOTWARE 02.13.92 MFG: CNDOUEXF	,RUB/PLAS;6		0			
		FTWR,0TH PER 5.20.3090	SON, UPPERS	VEG FIB 2645 PRS		6.5%		
	•	Merchand	ise Process	ing Fee		0.2100%	State	P
	PA	GE 12 (CNTD)			v001			
• •	<del></del>	<u> </u>	A	RECORD		Ç	ustoms Form 7501-A (1	12295)

#### Page 1 ENTRY SUMMARY QUERY RESPONSE 10/26/10 14:44:07 A8

231-9822398-7 IRS# 43-164688400 TYPE 01 PORT 2704 \$63,257.59 EST. DUTY \$0.00 EST, TAX ENTERED: 03/20/09 FILED: 04/02/09 FULLY PAID RELEASED LIQUIDATED

RAPERLESS STATUS INDICATOR: B

COLLECTED ON 04/20/09 \$63,257.59 DUTY # OF LINES: 091 TAX # OF WITHDRAWALS: LIQUIDATE ON Ø1/29/10 \$63,257.59 DUTY IMPORT SPECIALIST TEAM 723 TAX EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES REFERENCE # PAYMENT DUE: 03/31/09 BOND: 897 460307621 9822398-7

FILING LOCATION 090403ESP

231-9294200-4 IRS# 43-164688400 TYPE 01 PORT 2704 \$44,925.53 EST. DUTY \$0,00 EST. TAX. ENTERED: 01/19/09 FILED: 01/30/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

COLLECTED ON 02/20/09 \$44,925.53 DUTY TAX # OF WITHDRAWALS: # OF LINES: 052 LIQUIDATE ON 12/04/09 \$44,925.53 DUTY TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES

REFERENCE # PAYMENT DUE: 01/28/09 BOND: 897 460307621 9294200-4

#### FILING LOCATION 090201ESP

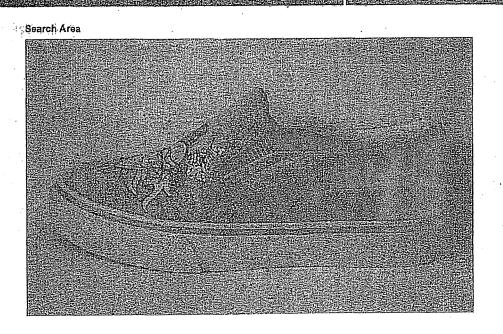
231-9294191-5 TRS# 43-164688400 TYPE 01 PORT 2704 \$23,052.91 EST. DUTY \$0.00 EST. TAX ENTERED: 01/19/09 FILED: 01/30/09 FULLY PAID RELEASED LIQUIDATED \$30000 EST. B

COLLECTED ON 02/20/09 \$23,052.91 DUTY TAX # OF WITHDRAWALS: # OF LINES: 046 LIQUIDATE ON 12/04/09 \$23,052.91 DUTY

## CSMQueryList1 - V1.2

## Page 1 of 1

## Pou Expost Management



Payless Shoesource International

http://www.qualityworks.hk/CSMproject/CSMShowPicture.ASPX?PIC=M00003818S20081208140413.JPG 10/26/2010

интео втупессивтома велуюсе переимы от тистированит.

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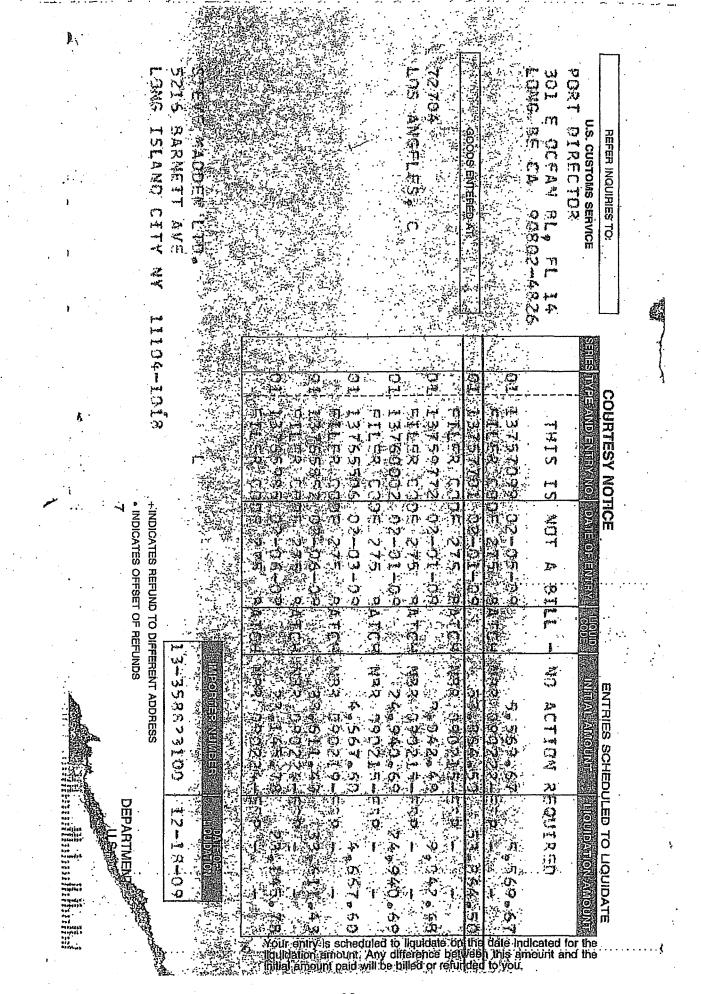
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PRE-CLASSIFICATION WORKSHE	ET FOR IMPORTED FOOTWEAR	•	
1. DIV / Style name/	US HTS#	6405.20.3080	
2. Vandors style # P-HOP 3. Color Code/s BLK/019.WHITE/109.GREY/639	Quoted Duty Rate	7.5 %	
3. Color Code/a <u>BLK/019,WHITE/109,</u> GREY/639 4) Percenlage of external surface area of upper ( <u>including</u> r	reinforcements & accessories) which	is: %	
Lealher % (ap	eclfy type: bovina, pig, kid, lamb,	reptile, other)	
Rubbar end/or Plastic %	· · ·		
Other Material/s (St	pacify type: cotton) pacify type: Pony hair, Raffia etc. )		
Total 100 % ( b. Percentage of external surface area of outer sole (includ	100%) ling reinforcements and accessories	) which is:	
Leather %	Inse		Here
Composition leather %			
Rubber and/or Plaslic 5.71 %			
Texille Materials 94.29 %			
Wood % 4			
	SO Tech, Fabric),		
	100%)		•
		A29470	
. In answering 3 or 4 above, did you consider any pieces to	. •		
. Is the footwear disposable (i.e. Intended for one-lime use	)? Yes N	lo <u>V</u>	
. Is the footwear designed for sports activity and does it ha	ive spikes, cleats, etc., or provision f	or attachment of such?	· ·
Yas <u>No V</u>			
<ol><li>Check if the footwear is one of the following:</li></ol>			
Skaling boots, wrestling boots, boxing boots, or o	cycling shoes		
Ski-boots, cross-country ski footwear, or snowbo	ard boots		
Tennis shoes, basketball shoes, gym shoes, trai	ning shoes or the like	the design of the second se	
None of the above		<u>/</u> · .	
IO to the facture and using the man vertice of here			
<ol> <li>Is the footwear worn exclusively by men, youthe or boys</li> <li>Does the footwear have a protective metal toa-cap?</li> </ol>	· · · · · · · · · · · · · · · · · · ·	lo V	
2. Check what is the height of the upper?			,
Covers the knee or higher			
Covers the ankle but not the knee	V		
Does not cover the ankle			
. Complete only if outer soles and <u>uppers are rubbar o</u>	r niastics:		
Parcent of external surface area of upper (including al) re	Inforcements and accessories) which	is rubber and/or plastics:	
2. Is it waterproof and assembled by means other then slitc	hing, riveting, nailing, screwing, plugg	ing or similar processes?	•
1 / / · · · · · · · · · · · · · · · · ·	Yas N		
is the external surface area of the upper and sole (includ) chloride PVC?	Yes N		
. Is the footwear designed for use wilhout closures?	Yes	the second se	
i. Is the external surface area of the upper (including reinfo			
. Is an external privace and of the opper (modeling reinfor	Yes N		
List accessories or reinforcements and what their			
		%	
		%	
		%	
i. Is the footwesr designed to be wom over, or in lieu of, ot chemicals or cold or inclement weather?	ar footwear as a protection against w Yes N		
If "Yes", are uppers covering the ankle and are e			
top of the outer sole?	Yes N		
. Does the foolwear have a foxing or foxing like band applie			
	Yes N		
if "yes", is the faxing or faxing-like band wholly or	almost wholly of rubber or plastic?		
•	Yes N	0	
	•		

		a footwaar Dosses	3es:		• • •		
Chec	k which of the following characteristics does the						
Undu	In the following characteristics does in	INTER STATES		•			
•			•				
	Does it have open to as or open heels ?						
	te it the slip-on type ?			•			
	Made of exclusively adhesive construction 7	·					
	is it a "Zoris" ?				•		
	None of the above	. كارو والشماعي معالى					
				-	•••		
Com	plete only if the outer soles are rubber, plas	sim fanihan ar sor	nnoolillan loos	ins sébos -	antile and		
QUIN	uppers ara leather:	uc, teather or con	inhosicion iese	ner, uner i	natis anu	•	
Pone	rding the leather pleces (If any), are they coale	d or faminated with	a nibber and/or	niarfice?			
Vofte	Coated Laminated	Neliher		placates r of Applicable			
	If "Yes", how thick is the costing to the near			v v b burgolo	mm	<del>.</del> .	
Chec	k which of the following cheracteristics does the			,			
0,100	Welt ('Good Year') construction	a ioutitoar poaboai				•	
	Turn or turned construction		•			4	+
	Uppers consisting of leather straps						
	across the instep and around the big los						
÷	Made on a base or platform of wood			•			
	Uppers of plgskin	K					
	None of the above		. *				
	plete only if the outer solea are rubber, plas ters are taxtile materiale: 1. Does the footwear have a foxing or foxin	g like bend applied	l or molded at t	he sole and	•	the upper?	
	pers are textile materiale: 1. Does the footwear have a foxing or foxin	g like band applied Y	or molded at 1 es <u>V</u>	he sole and No	•	the upper?	•
	pers are textile materiale:	g like band applied Y Ny or almost wholi	i or molded at t es V y of rubber or p	he sole and No lastic?	•	the upper?	•
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10/25/10

**从总理中共行全国民间和国际东南部委员会主义的开关时** 

231-9822398-7) IRS# 43-164688400 TYPE 01 PORT 2704 \$63,257,59 EST. DUTY \$0.00 EST. TAX ENTERED: 03/20/09 FILED: 04/02/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

COLLECTED ON 04/20/09 \$63,257.39 DUTY TAX # OF WITHDRAWALS # OF LINES: 091 LIQUIDATE ON 01/29/10 \$63,257.59 DUTY TAX IMPORT SPECIALIST TEAM 723 EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES REFERENCE # PAYMENT DUE: 03/31/09

BOND: 897 460307621 9822398-7

FILING LOCATION 090403ESP

231-9294200-4 IRS# 43-164688400 TYPE 01 PORT 2704 \$44,925.53 EST. DUTY \$0.00 EST. TAX ENTERED: 01/19/09 FILED: 01/30/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: 8

COLLECTED ON 02/20/09 \$44,925.53 DUTY TAX # DF WITHDRAWALS: # OF LINES: 052 LIQUIDATE ON 12/04/09 \$44,925.53 DUTY TAX IMPORT SPECIALIST TEAM 723

EXT/SUSP CODE DATE 00/00/00 EXTENDED TIMES REFERENCE # PAYMENT DUE: 01/28/09 BOND: 897 460307621

9294200-4

FILING LOCATION 090201ESP

231-9294191-5 IRS# 43-164688400 TYPE 01 PORT 2704 \$23,052.91 EST. DUTY \$0.00 EST. TAX ENTERED: 01/19/09 FILED: 01/30/09 FULLY PAID RELEASED LIQUIDATED PAPERLESS STATUS INDICATOR: B

COLLECTED ON 02/20/09 \$23,052.91 DUTY TAX # DF WITHDRAWALS: # OF LINES: 046 LIQUIDATE ON 12/04/09 \$23,052.91 DUTY

Copline		S	PECIFICATION FOR	M	SPEC NO	: SP000052745 Rev 15
SHOE NAME :	Daisy Fray	Pat	tern Number DW113180-	1	- The	- Aller
GENDER LAST COPIED FROM ORIGINAL FORMERLY SMU SIZE RANGE	Women's 30018 M SP000049917 SEA0030018 W6	CUSTOMER Payless DIVISION Topline CATEGORY CASUAL LINE Spring-2	STAGE : Proc OWNER DESIGNER US PD PD COORDINAT( FACTORY			
				No. To		
UPPER : Upper Material A	A	QLIVE/MULTI	ORGANIC COTTON TWILL WITH PRINT	#37	Q787V759-1	FRAYED EDGE; COLOR SHOULD MATCH THE SOCK ON SR9047788 DTD 8/25/08; no test needed; need certification document; Greenland
Label		white label w/ black letters	Eco looplabel w/ ZOE &ZAO LOGO			no test needed; need certification document.
Tongue		OLIVE/MULTI	4		Q787V759-1	COLOR SHOULD MATCH THE SOO ON/SR9047788 DTD 8/26/08; no test needed; need certification document; Greenland
Gore		NATURAL	ECO ELASTIC		M/UPPER LINING	ECO ELASTIC LINING AS SAMPLE; COLOR MATCHING UPPER LINING Itest needed; need certification document; Bal He
Eyelets		4A Antique Bress	NIGKEL FREE Eyelets		4A	NICKEL FREE; need test
Laces	1	Off White	EGO LACE		m/off whit in upper	no test needed; need certification document; Bal He
Upper Stitching		Gream	ECO THREAD		m/off whit in upper	no test needed: need certification document; COATS
LINING :			-			
Sock Lining	-	NATURAL	ORGANIC COTTON CANVAS	#15	V106N119	ne test needed; need certification document; Greenland
Counter Lining		NATURAL	ORGANIC COTTON CANVAS	#15	AS SAMPLE	no test needed; need certification document; Greenland
Insole Board			BONTEX-134G			RLEASE CONFIRM; no test,needed; need/certification document
Sock Logo		WHITE LABEL WIBLACK LETTERS	ECO WHITE WOVEN LABEL W/ ZOE &ZAO PRINT		- MORNIAG	ECO LABEL/ECO PRINT; no test needed; need certification document no test needed; need certification
Upper Lining		NATURAL	ORGANIC COTTON CANVAS	)#15	V106N119	document: Gréenland

Page 1 of 2

SHOE NAME : Daisy Fray Topline

SPECIFICATION FORM

SPEC NO : SP000052745Re 15

Pattern Number DW113180-1

20% RECYCLED RUBBER/CUPSOLE AND TOE CAP SHOULD BE ECO RUBBER MATERIAL, COLOR MATCHING SAMPLE, test needed should match. In a rubber outsole colo 20% RECYCLED RUBBER+ECO LECTRONIC'W/ZOE &ZAD PLUG; meed lest. lectronic color at outsole Stations Contraction of the AS SAMPLE AS SAMPLE の大学は ECO TEXTILE LECTRONIC 7,056,558-+ 調用に言われたない。 ECO RUBBER OFF WHITE Off White Spot check for lead contlent Toe Cap BOTTOM: Outsole

GENERAL COMMENTS :

ALL DETAILS AS PRODUCTION SPEC, REFERENCE PW160034C-1 SP# 9047775 DTD 8/19/2008 EXCEPT:

1, ALL MATERIALS SHOULD BE ECO MATERIALS. 2. UPPER MATERIAL & TONGUE: PRINT AND COLOR SHOULD MATCH THE SOCK ON DW 590096-4 SR9047788 DTD 8/26/08.

3. LACES, UPPER STITCHING, EYELETS, UPPER LINING, SOCK LINING, COUNTER, GUTSOLE, CUPSOLE, TOE CAP: COLORS.SHOULD MATCH PW160034C-1 SR9047775 DTD 8/19/08. 4. ECO ELASTIC GORE COLOR SHOULD MATCH UPPER LINING. 5. SOCK LOGO: WHITE ECO WOVEN LABEL W/ BLACK ECO ZOERZAC PRINT 6. OUTSOLE: ECO LECTRONIC+ECO RUBBER WITH ZOE &ZAC PLNG

ectronic color at outsole should match the rubber outsole color

7. ADD ZOE &ZAC ECO LOOPLABEL ON UPPER: WHITE W/ BLACK LETTERS.

Please note in psckaging: "WHBUSter" organic anti-mold patch" FORMERLY PW160034C = INJECTED NOW DW113180 = CEMENTED Need CPSIA test

ATTACHMENTS

11-34-25 AN

Printed: 10/28/2010

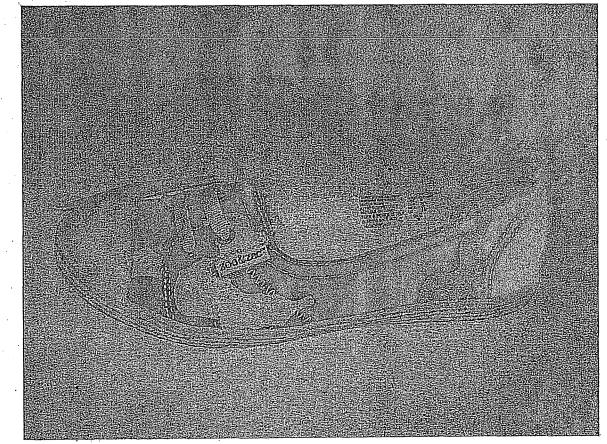
Page 2 of

#### CSMQueryList1 - V1.2

Page 1 of 1

POU Expont Manadements

Search Area



#### Payless Shoesource International

http://www.qualityworks.hk/CSMproject/CSMShowPicture.ASPX?PIC=M00005253S20090304135538.JPG 10/26/2010

## APPENDIX F

SUBMISSION FROM GRUNFELD, DESIDERIO, LEBOWITZ, SILVERMAN & KLESTADT LLP, ON BEHALF OF PRO LINE MANUFACTURING CO. (December 21, 2010, written views and customs documentation)

OFFICES: NEW YORK • BOSTON LOS ANGELES • WASHINGTON, D.C. HONG KONG AFFILIATED OFFICES: SHANGHAI • BEIJING COUNSELORS AT LAW 399 PARK AVENUE 25TH FLOOR NEW YORK, NEW YORK 10022-4877

TEL (212) 557-4000

FAX (212) 557-4415 www.gdlsk.com

WRITER'S DIRECT DIAL NUMBER

212-973-7764 eackerman@gdlsk.com

December 21, 2010

VIA FEDEX

U.S. International Trade Commission 500 E Street, SW Washington, DC 20436

Attention: The Honorable Marilyn R. Abbott, Secretary

Re:

Pro Line Manufacturing Co. Investigation No. 1205-8 (Addendum) Proposed Modifications to the HTSUS (Certain Footwear) Our Reference: 10163-0050002

Dear Secretary Abbott:

On behalf of our client, Pro Line Manufacturing Co. of Wayne, NJ ("Pro Line"), and in response to the Addendum to Investigation No. 1205-8 (75 Fed. Reg. 76595 (December 6, 2010), we are providing the Commission with Customs entry information in support of Pro Line's original submission of May 13, 2010.

Our original submission urged the creation of additional tariff breakouts to ensure revenue neutrality under Section 1205 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. § 3005). The urged breakouts would apply to footwear currently classified in heading

6405, HTSUS, that would otherwise migrate to subheadings 6404.11 or 6404.19 or to subheading 6401.91 or 6401.99.

Pro Line estimates that it has imported approximately 185,000 pairs of such footwear in the past 18 months. In response to the Commission's request for entries, we are providing copies of 14 sample entry summaries (CBP Form 7501) reflecting footwear styles having textile outsoles (certain value information has been redacted).<sup>1</sup>

Each CBP Form 7501 has been marked to identify the line item corresponding to the particular footwear styles that would be affected. By means of example, line number 003 on Entry No. U47-0472218-8, entered on October 31, 2009, covered 1080 pairs of Style No. 2011T, a men's rubber hip boot with a textile-embedded outsole. This shoe was entered under subheading 6405.90.90, dutiable at 12.5%. Without an addition tariff breakout, under the current proposal, this style would be classifiable under subheading 6401.99.10, dutiable at 37.5%. See also, as a second example, Entry No. U47-0469933-7, of July 15, 2009, for which line number 002 covers 20 pairs of Style No. WIN92302, a neoprene chest wader with a textile-embedded outsole. This shoe was entered under subheading 6405.90.90, dutiable at 12.5%. Without an addition tariff breakout, under the current proposal, this shoe was entered under subheading 6405.90.90, for which line number 002 covers 20 pairs of Style No. WIN92302, a neoprene chest wader with a textile-embedded outsole. This shoe was entered under subheading 6405.90.90, dutiable at 12.5%. Without an addition tariff breakout, under the current proposal, this style would be classifiable under subheading 6405.90.90, dutiable at 12.5%. Without an addition tariff breakout, under the current proposal, this style would be classifiable under subheading 6405.90.90, dutiable at 12.5%. Without an addition tariff breakout, under the current proposal, this style would be classifiable under subheading 6405.90.20, dutiable at 12.5%.

A summary of this information as found in the sample 14 entries is as follows:

Enúy No.	Entry Date		Quantity	
			to a second second second second second	Classification
				underPending Proposal
U47-0472218-8	10/31/09	2011-T	1080	6401.99.1000
U47-0469933-7	7/15/09	WIN92302MX4-Y	8	6404.19.2090
		WIN92302MX4	6	6404.19.2030

<sup>1</sup> Although the proffered entries did not liquidate prior to April 13, 2010, they do reflect the substantial, ongoing volume of trade in these commodities.

4 Entry No.	Entry Date	Style Nos.	Quantity	2 Destination
			(pts.)	Classification
				Proposal
		WIN92302MX4-ST	2	6404.19.2030
	******	WIN92302DB	2	6404.19.2030
		WIN92302DB-ST	2	6404.19.2030
U47-0470232-1	8/5/09	NW9309MX4-T	240	6404.19.2030
U47-0471029-0	8/29/09	WIN12103	1488	6201.92.9060
		WIN92302MX4-T	18	6404.19.2030
··· ·	•	21302TT	1134	6401.99.1000
		HS14104AP	. 270	6404.19.2030
U47-0469930-3	7/15/09	HS14104AP	5436	6404.19.2030
U47-0473282-3	11/18/09	121B-T	360	6401.92.9060
		2011-T	1800	6401.99.1000
U47-0469522-8	7/6/09	WIN12103	3224	6401.92.9060
		WIN12103TT	360	6401.92.9060
U47-0474338-2	1/24/10	D501-T	4374	6401.99.1000
U47-0473290-6	12/07/09	121B-T	852	6401.92.9060
	· · ·	14003GRN-T	600	6401.92.9060
		HS14104AP	120	6404.19.2030
		21302TT	822	6401.99.1000
		2011-T	576	6401.99.1000
U47-0473579-2	12/28/09	121M-T	1200	6401.92.9060
<sup>2</sup> δαλα τ <sub>η</sub> δ <sup>1</sup> ματές του <sub>α</sub> ετολούνου, η δετάτεου αλλητικό του αλλητικό του αλλητικό του <sup>π</sup> ατικό αλλητικό του αλλητ Ο αλλητικό του αλλητι		NW9301-B-T	1542	6404.19.2030
		WIN7063TB-T	.120	6404.19.2030
		14001MOB-T	. 264	6404.19.2030
		WIN7063MOB-B-T	210	6404.19.2030
		151TAN-T	1110	6401.99.3000
		WIN7063TB-T	90.	6404.19.2030
		501-T	750	6401.99.1000
U47-0471023-3	9/2/09	NW9309MX4-T	24	6404.19.2030
		HS14104AP	2400	6404.19.2030
		WIN92302MX4-T	402	6404.19.2030
		WIN7002MX4-T	606	6404.19.2030
		21302TT	1200	6401.99.1000
U47-0473572-7	12/10/09	121B-T	600	6401.92.9060
		121M-T	1200	6401.92.9060
		121Y-T	282	6401.92.9060
	· .	NW9301-B-T	264	6404.19.2030
		501-T	1704	6401.99.1000
		WIN7063MOB-B-T	390	6404.19.2030
L		NW9301-B-T	1500	6404.19.2030

Enter No.	Enny Date	Style Nos.		2. Destination
			(prs.)	1 Classification under Pending
				Proposal
U47-0474325-9	1/6/10	71101-Т	210	6404.19.2030
		72101-T	1320	6404.19.2030
		NW9301-T	468	6404.19.2030
· ·	-	121M-T	1368	6401.92.9060
		WIN92302MX4-T	696	6404.19.2030
		CC55101	900	6404.19.8030
		WIN71102MX4-T	300	6404.19.2030
		WIN7002MX4-T	480	6404.19.2030
· · · ·		NW9301-T	210	6404.19.2030
		2031-T	564	6401.99.1000
U47-0472002-6	9/30/09	3112-T	120	6404.19.2030

We have also enclosed representative images of covered styles.

Please contact the undersigned should you require any clarification or additional

information.

Sincerely,

GRUNFELD, DESIDERIO, LEBOWITZ, SILVERMAN & KLESTADT LLP

Edward B. Ackerman

nept Not. Invisiger

Joseph M. Spraragen

Attachments

8129474\_1

	PAPERLESS CST # 2	F	orm Approved OMB No. 1651-0022 Exp. 03-31-2012
DEPARTMENT OF HOMELAND SECURITY	1.Filer Code / Entry No.	2. Entry T	ype 3.Summary Date
U.S. Customs and Border Protection	U47 0472218-8 4, Surety No. 5. Bond T	01 ABI/A	
ENTRY SUMMARY	458 8	4601	103109
8. Importing Carrier 9. Mode of Transport HJ VALENCIA 11	10. Country of Origin CN		11. Import Date 103109
12. B/L or AWB No. YMLUE230090851 CNHANYOUCHA	14: Exporting Country CN	1	15. Export Date 100509
T6 I.T. No. 17. I.T. Date 18. Missing Documents	19. Foreign Portiof Ladi 57035		0:19,S:Pont of Unlading 4601
24. Pocation of Goods / GOI No: 22. Consignee No. E425 SEALAND TERMINAL SAME	23. Importer No. 03-040816000		4. Reference No.
25. Ultimate Consignee Name and Address	26. Importer of Record I PRO LINE MANUFA		
	186 PARISH DR.		,, <b>,,,,,,,</b> ,,,,,,,,,,,,,,,,,,,,,,,,,,,
SAME	WAYNE		•
CityStateZip	NJ 07470 City	SI	tate Zip
28. Description of Merchandise	32.	33. ITSUS Rate	34. Duty and I.R. Tax
29. 30. 31. Line A. HTSUS No. A. Grossweight Net Quantity in	A. Entered Value B. A	DA/CVD Rate RC Rate	Dollars Cents
No. B. ADA/CVD No. B. Manifest Oty. HTSUS Units	C. Relationship D. V	lisa No.	N - MATTING - MAR
ADDITION B.L. / AWB NO E230090851	593 CT	N	
593.00 CTN	, <u>,</u>		
¥109145			
001 FOOTWEAR WORN OV, W/OUT CLO			
6401_99.3000 2600 1200PRS	C1 25	.00000%	
	OT RELATED	61.	
MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE		.21%	
		<u>ئى ئىدەن ئىيەر بىرىكى ئەرك</u> ى	
EEE 499	CBP USE ONL		TOTALS
FEE 501 \$ 200	A LO CODE B. As	certained Duty	and a second
Total Other Fees	REASON CODE C. As	centained Tax	38. Tax
36.DECLARATION OF IMPORTER OF RECORD (OWNER)	D.As	certained Othe	0.00 11 39. @lher
OR PURCHASER) OR AUTHORIZED AGENT			T
U geclare that I am the J Importer of record and that the actual owner, purchaser, or consignee to: CBP purposes is as shown above, OR	E. As	certained Total	1 40. Total
or purchaser or agent thereof, klurther declare that the merchandise KR was obtained	d pursuant to a purchase or	agreement to pu	Irchase and that the
prices set forth In the involces are true, OR was not obtained pursuant to a pur			
to value or price are true to the best of my knowledge and beliet, also declare that the of my knowledge and belief the true prices, values, quantities, rebates, drawbacks, fees	commissions, and royalties	and are true and	correct, and that all
goods or services provided to the seller of the merchandise either free or at reduced of	cost are fully disclosed:		
i will immediately turnish to the appropriate CBP officer any information showing a dif	الشريشية سيبرد والمسالية المستري	· · · · · · · · · · · · · · · · · · ·	
41. DEGLARANT NAME TITLE B & H CUSTOMS SERVICES INC. ATTY-IN-FACT	SIGNATURE		DATE 10/28/09
42 Broker / Iller Information (Name address, phone number)	43. Broker / Importer Fil	e No.	
B & H CUSTOMS SERVICES INC. 147-19 SPRINGFIELD LANE # A	472218/29126	• • • •	<u></u>
JÄMAICA, NY 11413 Tel: 718-525-7050	2010 - 20		
			CBP Form 7501 (06/09)
REC	ORD		

Page 2 472218 OMB No. 1651-0022

# DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection

27	28. Description of Merchandise	32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
ine No.	29. 30. 31. A. HTSUS No. A. Grossweight Net-Quantity In B. ADA/CVD No. B. Manifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate	Dollars Cents
002	FOOTWEAR, COV ANK, NOT KNEE, 6401.92.9060 3600 2160P	rs C	37.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	.21%	677759 (******
0.03	FOOTWEAR OTHER 6405.90.9000 3960 1080P	C		
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00.4	OTHR CRINS OF CORRUGATED P 4819.10.0040 90 808	C		
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D 0 5	OTHER OTHER PRINTED MATTER 4911.99.8000 6 48	Ć	FREE	
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	PAPERLESS CST # 256	Approved OMB No. 1651-0022 Exp. 03-31-2012
DEPARTMENT OF HOMELAND SECURITY	1.Filer Code / Entry No. 2. Entry U47.0469933-7 01 AB	Type 3:Summary Date
U.S. Customs and Border Protection ENTRY SUMMARY	4. Surety No. 5. Bond Type 6. Port 098 8 4701	
8. Importing Carrier 9. Mode of Transport CA 40	10. Country of Origin CN	11. Import Date 071509
12. B/L or AWB No. 13. Manufacturer 10. 99958086092 CNHANYOUCHA	14. Exporting Country CN	15. Export Date 071509
16. I.T. No. 17. I.T. Date 18. Missing Documents	19: Foreign Bon of Lading	20. U.S.Port of Unlading 4701
21. Location of Goods / G:O: No: 22. Consignee No: F313 AIR CHINA 03-040816000	23. Importer No. 03-040816000	24. Reference No.
25: Ultimate Consignée Name and Address PRO LINE MANUFACTURING CO.,LLC 185 PARISH DR. WAYNE, NJ 07470	26. Imponer of Record Name and A PRO LINE MANUFACTURING ( 186 PARISH DR. WAYNE, NJ 07470	
City State Zip	111	State Zip
28. Description of Merchandise 29. 30. 31. Line A. HTSUS No. A. Grossweight Net Quantity in	32. 33. A. HTSUS Rate A. Entered Value. B. ADA/CVD Ra	34. Duty and I.R. Tax Dollars Cents
Line A. HTSUS No. No. B. ADA/GVD No. ADDITION B.L. / AWB NO	B. CHGS C. IPC Rate C. Relationship D. Visa No.	
99958086092 290712016 21.00 CTN 	21 CTN	
001 OV/CV,K/C,5903/06/07,OT,OT 6113.00.9065 353 9DOZ (187) KG		
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MERCHANDISE PROCESSING FEE	OT RELATED .21%	
Other Fee Summary for Block 39 35. Total Entered Value	CBP USE ONLY	TOTALS
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Total Other Fees	REASON CODE C. Ascentained Ta	
36 DECLARATION OF IMPORTER OF RECORD ( OWNER OR PURCHASER) OR AUTHORIZED AGENT	D. Ascentained OI	
Toeclare that I am the Importer of record and that the actual owner, purchaser, or consignee for CBP purposes is as shown above, OR KN owner	E. Ascentalned To	tal 40. Total
, or purchaser or agent thereol. I further declare that the merchandise XX was obtained prices set forth in the invoices are true, OR was not obtained pursuant to a pur to value or price are true to the best of my knowledge and bettef. It also declare that the of my knowledge and belief the true prices, values, quantities, rebates, drawbacks, tees	rchase or agreement to purchase and the ne statements in the documents herein file	statements In the invoices as ed fully disclose to the best
goods or services provided to the seller of the merchandise either free or at reduced I will immediately turnish to the appropriate CBP officer any information showing a difference of the seller of the seller of the seller of the seller of the merchandise either free or at reduced	cost are fully disclosed.	
AT. DECLARANT NAME TITLE	SIGNATURE	DATE
B & H CUSTOMS SERVICES INC. ATTY-IN-FACT 42. Broker / filer information (Name,address, phone number)	143. Broker / Importer File No.	12/10/10
B & H CUSTOMS SERVICES INC.	469933/29085	•
147-19 SPRINGFIELD LANE # A JAMAICA, NY 11413 Tel: 718-525-7050	1 1 1 1	CBP Form 7501 (06/09)
REC	ORD	

## DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection U.47 0469933-7

	27 <sub>10</sub>	2 <del>8.</del> L	Description of Merc		32.	33, A. HTSUS Rate	34. Duty and I.E	. Tax
003       FTWR, OTH, MEN, NT PIGSKN, COV         6403.91.6075       53       33PFS       8.50000%         C1       C1         MERCHANDISE PROCESSING FEE       NOT RELATED       .21%	ine Io.				A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate G. IRC Rate D. Visa No.	· · · · · · · · · · · · · · · · · · ·	Cents
MERCHANDISE PROCESSING FEE	003	FTWR, OT	H,MEN,NT PI 75	GSKN, COV 53 331	PIS Bat	8.50000%		
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			•	CS	T # 244	Approved OME	No. 1651-0022 Exp. 03-31-2012
	DEPARTMENT OF			1.Filer Code / Entr U47 0470232-1			ummary Date
	U.S. Customs ar	SUMMARY	cuon	4. Surety No. 5. Bo	ond Type 6. Port	Code 7. E	ntry Date
8. Importir	and an extension of the second s	9. Mode of Trans	sport	098 8 10. Country of Ong	4601 ain		180509 Import Date
HJ WI	LMINGTON	11		ĊN	- 	0	80509
12. B/L or HJSCS	AWB NO. SHAA51257706	13. Manufacture MULTI	r ID	14. Exporting Cour CN	ntry		Export Date 371309
16. I.T. No	5. 17, I.T. Date	18. Mis	sing Documents	19. Foreign Port of 57035	Lading	20. U.S.Port 4601	of Untading
	on of Goods / C.O. No. SEALAND TERMINAL	22. Consignee 1 03-04081600	V6) )0	23. Importer No. 03-040816000		24. Reference	e No.
PRO L 186 P/	te Consignee Name and / INE MANUFACTURING ( ARISH DR. IE, NJ 07470	Address CO.,LLC		26: Importer of Re PRO LINE MAI 185 PARISH D WAYNE, NJ 07	NUFACTURING ( R. 7470	CO.,LLC	
City		State		City. 32.	1 33.	State	Zip
27	28. De 29.	scription of Merchan 30.		A. Entered Value	A. HTSUS Rate B. ADA/CVD Ra	to been all sold	I.R. Tax
Line A. No, B	. HTSUS No. A	. Grossweight . Manifest Oty	31 Net Quantity in HTSUS Units	B. CHGS C. Relationship	C. IRC Rate D. Visa No.	Dollars	Cents
	ADDITION B.L. SHAA51257706 SHAA51257201 1699.00 C - 29HJ020				CTN CTN		
001 CN	FOOTWEAR, 0 6405_90.9000 HANLEA3100HAN	THER 432	144PRS	Č1 C1 OT RELATED	12.50000%	ß	Balance PO
	MERCHANDISE PR HARBOR MAINTEN				<b>₽21</b> %		
	•	·					
	• •						Ţ
			1-4-1				
FEE 499	Summary for Block 39	35. Total Entere	urvalee.	A. LIQ CODE	NLY B. Ascentained Du	TOTAL	S
FEE 501		1 Total Other Fee	5	A Calendary (1977) - Constant			400 DD
		\$ @\$\$\$\$\$	-	REASON CODE	G. Ascenained Ta	ix 38. Tax	0.00
	ARATION OF IMPORTER CHASER) OR AUTHORIZE		VER		D. Ascertained Of	her 39. Other	
1 declare t	ter and the second s	record and that the ac			E. Ascenalned To	tal 40. Total	
or purchas prices set to value o of my kno goods or s	ser or agent thereof. I further forth in the invoices are true, r price are true to the best of wledge and belief the true pri services provided to the seller ediately furnish to the appropri	declare that the merch OR was not ob my knowledge and beli ces,values,quantities,ru r of the merchandise el	andise <b>K</b> was obtained tained pursuant to a pu ief. I also declare that t ebates,drawbacks,fees ther free or at reduced	rchase or agreement the statements in the d commissions, and roy cost are fully disclosed	o purchase and the ocuments herein file valties and are true a d.	statements in the	ne Invoices as to the best
	ARANT NAME	T	ITLE	SIGNATURE		DA	те
	CUSTOMS SERVICES INC	and the state of the	TTY-IN-FACT			12	/10/10
B &	Hiler information (Name, H CUSTOMS SERVICES 19 SPRINGFIELD LANE	INC.	ibet)	43. Broker / Impor 470232/2908			· · · · · · · · · · · · · · · · · · ·
	AICA, NY 11413 Tel: 718				(	CBP Form 75	501 (06/09)
	e en seren en e	en la companya de la marca de la companya de la com	nre	ORD			

Page 2 470232 OMB No. 1651-0022

DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

7.	28. Description of Merchandise		32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
ine 0.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest Gty. HTSUS Units	B. CH	tered Value IGS Iationship	B ADA/CVD Bate	Dollars Cents
002	FOOTWEAR, OTHER 6405.90.9000 360 12 CNHANLEA3100HAN	OPRS	<del>130</del> Cl		
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NO	DT RELAT	ED "21%	
003	OTH FTWR, MN, C ANK, OV650, N/ 6402.91.8021 216 7 CNHANLEA3100HAN	2PRS	605 C1	20.00008 0.9000	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NO NO	DT RELAT	21% .21%	
	INVOICE VALUE 41	63.28	· .		
004	YL09091 FOOTWEAR,COV ANK,NOT KNEE, 6401.92.9050 28 CNHANYOUCHA	9PRS		37.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE		DT RELAT	.21%	
0:0:5		OPES	ci	37.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NC	DT RELAT	.21%	
006		OPHS	 C1	12.50000%	
•	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NC	OT RELAT	ED .21%	Caller Faller
007	FOOTWEAR COVERING KNEE, OTH 6401 99 1000 810 18 CNHANYOUCHA	OPES	25 Cl	37.50000%	<u>A</u>
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NC	DT RELAT	ED21%	
•			· _		
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DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection U47 0470232-1

27.	28. Description of Merchandise	32_	33. A. HTSUS Rate	34. Duty and I.R. Tax
Lìne No	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest Qty., HTSUS Units	A. Entered Value B. CHGS C. Relationship		Dollars Cents
008	FOOTWEAR, COV ANK, NOT KNEE, 6401.92.9060 1600 600PP SNHANYOUCHA	CI		1
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED .21%	6223B 6223D
009	FTWR, OTH, MEN, NT PIGSKN, COV 6403.91.6075 1520 567PF CNHANTOUCHA		8.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	£10 ∳∷21%	
010	FTWR, OTH, MEN, NT PLGSKN, COV 6403-91.6075 1800 600Pf TNHANYOUCHA	S -	8.50000	4 <u>888</u>
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED . 21%	1
	INVOICE VALUE 32218	20		
011	YL09092 FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 5181 942PI CNHANYOUCHA	S C	12.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED .21%	
012	FOOTWEAR, OTHER 6405.90.9000 1976 456PI CNHANYOUCHA	C	► 12.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	1ED	4
013	FOOTWEAR OTHER 6405.90.9000 5508 1224PI CNHANYOUCHA	C.		
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	,21%	
*				

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### DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

U47 0470232-1

27		28. Description of Merchandise	32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
Line No.	م 1	29, 30, 31. A. HTSUS No. B. ADA/CVD No. B. Manifest Oty. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate C. IRC Rate D. Visa No.	Dollars Cents
	014	FOOTWEAR, OTHER 6405.90.9000 361 71PF INHANYOUCHA	C1	> 12.50000%	
• .		MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED .21%	
· ·	015	FOOTWEAR, OTHER 6405.90.9000 10336 3876PF CNHANYOUCHA	C1		£332
		MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAI	ed 	
•	016	OTHR CRINS OF CORRUGATED P 4819.10.0040 2544 2329KG CNHANYOUCHA	C C	<b>FREE</b>	. ¥⊷‡ - X
		MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED	
		INVOICE VALUE			
	;;			· · · · · · · · · · · · · · · · · · ·	. <del>.</del>
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<del></del>				<u></u>	BP Form 7501 (06/09

	PAPERLESS CST # 723 Form Approved OMB No. 1051	J022
DEPARTMENT OF HOMELAND SECURITY	Exp. 03:31-2 1.Filer Code / Entry No. 2. Entry Type 3.Summary D	2012
U.S. Customs and Border Protection	U47 0471029-0         01 ABI/A         090909           4. Surety No. 5. Bond Type 6. Port Code         7. Entry Date	
ENTRY SUMMARY	458 8 2704 082909	
8. Importing Garrier 9. Mode of Transport HJ YANTIAN 11	10. Country of Origin 11. Import Da CN 082909	le
12. B/L or AWB No. 13. Manufacturer ID HJ\$C\$HAA53243905 CNHANYOUCHA	14. Exporting Country 15. Export Da CN 081709	te
16. I.T. Nos 17. I.T. Date 18. Missing Documents	13. Foreign Port of Unlading 57035 2709	1
21. Location of Goods / G.O. No. 22. Consignee No. 2952 HANJIN SHIPPING C SAME	23. Importer No. 24. Reference No. 03-049816000	
25. Eltimate Consignee Name and Address SAME City	26. Importer of Record Name and Address PRO LINE MANUFACTURING CO.,LLC 186 PARISH DR. WAYNE NJ 07470 City State Zip.	
2728. Description of Merchandise.	32. 33. 34.	
29. 30. 31. Line A. HTSUS No. A. Grossweight Net Quantity in No. B. ADA/CVD No. B. Manifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship D. Visa No.	IS
ADDITION B.L. / AWB NO SHAA53243905	644 CTN	
<sup>1</sup> 644.00 CTN 		يادۇسۇن تەسەر
6405.90.9000 4152 1488PRS	C1 OT RELATED	
MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	.21%	
Officer Fee.Summary for Block 39 35. Total Entered Value	CBP USE ONLY TOTALS	<u></u>
FEE 499 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	A. LIO CODE B. Ascertained Duty 37. Duty	أعق
s comp	REASON CODE C. Ascentained Tax: 38. Tax 0.0	00
36.DECLARATION OF IMPORTER OF RECORD ( OWNER OR PURCHASER) OR AUTHORIZED AGENT	D. Ascertained Other 39. Other	÷
1 declare that I am the Importer of record and that the actual owner, purchaser, or consignee for CBP purposes is as shown above, OR	E. Ascertained Total 40. Total	In the second
or purchaser or agent thereoi. I further declare that the merchandise XX was obtaine	d pursuant to a purchase or agreement to purchase and that the	
prices set forth in the invoices are true, OR was not obtained pursuant to a put to value or price are true to the best of my knowledge and belief. I also declare that the		
of my knowledge and belief the true prices, values, quantities, rebates, drawbacks, fees goods or services provided to the seller of the merchandise either free or at reduced		1
I will immediately furnish to the appropriate CBP officer any information showing a di		
41. DECLARANT NAME     TITLE       B & H CUSTOMS SERVICES INC.     ATTY-IN-FACT	SIGNATURE DATE 08/28/09	<u> 277 1</u>   
42. Broker / filer information (Name, address; phone number) B & H CUSTOMS SERVICES INC.	43. Broker / Importer File No. 471029/29103	<u> </u>   
147-19 SPRINGFIELD LANE # A JAMAICA, NY 11413 718-525-7050	CBP Form 7501 (06/09	نيبين د
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Page 2 471029

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DEPARTMENT OF THE TREASURY

## ENTRY SUMMARY CONTINUATION SHEET

	<u> </u>	Description of Interchandise		33; (	A) Enlered Value	34; 🙆 T.S.U.S.A. Pale B. ADA/CVD Rete	Duly and	L.FL. Tax
Eine No.	30. A T.S.U.S.A. No. B: ADA CVD Case No.	31. A Gross Weight B. Manilest Oty	Net Quantity in T.S.U.S.A. Units		B. CHGS C. Fictorionship	B; ADA/CVD Rate C: LR.C. Rate D. Visa No.	Dollars	Cen
002	FOOTWEA 6401.92.90	R,COV ANK,N 0 41		5		37.50000%		
	MERCHANDIS HARBOR MAI	S PROCESSING TENANCE FEI	FEE	N	IOT RELAT	ED .21%	10 10 10	
003)	FOOTWEAN 6405.90.90	COTHER	8 18Pi		C1 C1 IOT RELAT	12.50000%	QUE O	
	HARBOR MAI	PROCESSINC TENANCE FEI		, I	IOI REDAL	.21%	. (	
004	FOOTWEA 6405.90.90	OTHER 301 301	9 1014Pf	{	Ci	12.50000%	22	,T
	. i	PROCESSING	FEE	г •	IOT RELAT	.21%		2
005	FOOTWEA 6405,90.90	µ⊎ 3: ∦		1	C1 IOT RELAI		de la	
006		PROCESSING TENANCE FER	FEE			.21%	<b>4</b>	
	: 6405.90.90	0 9 <u>5</u>	3 270PI		CI CI IOT REDAT	12.50000% ED		
JÖ7	FOOTWEA	PROCESSING TENANCE FEI ,COV ANK,NO	T KNEE		, 1940. 1940. 1940.	.21%	6	
Land Contraction	6401.92.90	60 6 <sup>-</sup>	4 132PI	1	Cl Cl IOT RELAT			
	HARBOR MAI	È PROCESSIN( TENANCE FEI	I.				••••	
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	PAPERLESS CST # 244 Form Approved OMB No. 1651-0022 Exp. 03-31-2012
DEPARTMENT OF HOMELAND SECURITY	1.Filer Code / Entry No. 2. Entry Type 3.Summary Date
U.S. Customs and Border Protection	U47 0469930-3 01 ABI/A 072309 4. Surety No: 5. Bond Type 6. Port Gode 7. Entry Date
ENTRY SUMMARY	098 8 4601 071509
8. Importing Carrier 9. Mode of Transport HJ MARSEILLES 11	10. Country of Origin 11, Import Date 071409
12. B/L or AWB No. HJSCSHAA50087403 CNHANYOUCHA	14. Exporting Country 15. Export Date 062409
16. I.T. No. 17. I.T. Date 18. Missing Documen	ts 19 Foreign Port of Lading 20. U.S.Port of Unlading 57035 4601
21 Location of Goods / G.O. No. 22. Consignee No. E425 SEALAND TERMINAL 03-040816000	23. Importer No. 24. Reference No. 03-040816000
25. Ultimate Consignee Name and Address PRO LINE MANUFACTURING CO.,LLC 186 PARISH DR. WAYNE, NJ 07470	26. Importer of Record Name and Address PRO LINE MANUFACTURING CO.,LLC 186 PARISH DR. WAYNE, NJ 07470
City.Zip	CityZip
28. Description of Merchandise	32. 33. 34. A. HTSUS Rate Duty and I.R. Tax
Line A. HTSUS No. A. Grossweight Net Quantity No. B. ADA/CVD No. B. Manifest Qty. HTSUS Units	A. Entered Value B. ADA/GVD Rate Dollars Cents
ADDITION B.L. / AWB NO	
SHAA50087403 953.00 CTN	953 CTN
YI09074	
FOOTWEAR, OTHER	
6405.90.9000 17763 5436P	RS 12.50000%
	C1 NOT RELATED
MERCHANDISE PROCESSING FEE	.21%
HARBOR MAINTENANCE FEE	
Other Fee: Summary for Block 39 [35: Total Entered Value	CBP USE ONLY
FEE 499	A. LIQ CODE B. Ascertained Duty 37. Duty
FEE 501	
\$ 60.500	REASON CODE C. Ascertained Tax 58. Tax
36. DECLARATION OF IMPORTER OF RECORD ( OWNER OR PURCHASER) OR AUTHORIZED AGENT	D. Ascentained Other 39. Other
declare that am the Imponet of record and that the actual owner,	E. Ascertained Total 40. Total
purchaser, or consignee for CBP purposes is as shown above, OR XX own	A second s
or purchaser or agent thereof. I turther declare that the merchandise was o	
prices set forth in the involces are true, OR was not obtained pursuant to to value or price are true to the best of my knowledge and belief. I also declare	
of my knowledge and belief the true prices, values, quantities, rebates, drawback	
goods or services provided to the seller of the merchandise either free or at rec	
I will immediately fumish to the appropriate CBP officer any intermation showing	and a second
41. DECLARANT NAME TITLE	SIGNATURE DATE 12/10/10
B & H CUSTOMS SERVICES INC. ATTY-IN-FACT	1/13: Broker/ Importer File No.
42 Broker Hiler Information (Name, address, phone number) B & H CUSTOMS SERVICES INC.	469930/29073
147-19 SPRINGFIELD LANE # A	
JAMAICA, NY 11413 Tel: 718-525-7050	CBP Form 7501 (06/09)
	BECOBD

Page 2 469930 OMB No. 1651-0022

#### DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

U47 0469930-3

28. Description of Merc		32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
29. 30. A. HTSUS No. B. ADA/CVD No. B. Manifest Qty.	31. Net Quantity in HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate C. IRC Rate D. Visa No.	Dollars Cents
FOOTWEAR, OTHER 6405.90.9000 44	4 240PF	S C	12.50000%	Section 2
MERCHANDISE PROCESSING	5 FEÈ	C	14	
FOOTWEAR COVERING E	NEE, OTH 31 42PF	s s	37.50000%	
MERCHANDISE PROCESSING HARBOR MAINTENANCE FEI	S FEE	NOT RELA	DED	
INVOICE VALUE	Carte			
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	29. A. HTSUS No. B. ADA/CVD No. FOOTWEAR, OTHER 6405.90.9000 HARBOR MAINTENANCE FEE FOOTWEAR COVERING F 6401.99.1000 MERCHANDISE PROCESSING HARBOR MAINTENANCE FEE MERCHANDISE PROCESSING HARBOR MAINTENANCE FEE	B. ADA/CVD No. B. Manifest Cty. HTSUS Units FOOTWEAR, OTHER 6405.90.9000 444 240PF MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE FOOTWEAR COVERING KNEE, OTH 6401.99.1000 81 42PF MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	29. A. HTSUS No. B. ADA/CVD No. B. ADA/CVD No. B. Manifest Qty. FOOTWEAR, OTHER 6405.90.9000 MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE FOOTWEAR COVERING KNEE, OTH 6401.99.1000 MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE HARBOR MAINTENANCE FEE	29. A. HTSUS No. B. ADA/CVD No.30. A. Grossweight B. Manifest Cty.31. Net Oblantity in HTSUS UnitsA. Entered Value B. CHGS C. RelationshipA. ADA/CVD Rate B. ADA/CVD Rate C. IRC Rate D. Visa No.FOOTWEAR, OTHER 6405.90.90C0444240PHSCI NOT RELATEDMERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEEFOOTWEAR COVERING KNEE, OTH 6401.99.10008142PHS37.50000% CI NOT RELATEDMERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE37.50000% CI NOT RELATED21%MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE21%37.50000% CI NOT RELATEDMERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE21%37.50000% CI NOT RELATED

0	PAPERLESS CST # 244	Form Approved OMB No. 1651-0022 Exp. 03-31-2012
DEPARTMENT OF HOMELAND SECURITY	T.Filer Gode / Entry No.         2. Entry           U47 0473282-3         01 AB	y Type 3.Summary Date
U.S. Customs and Border Protection	4. Surety No. 5. Bond Type 6. Pon 458 8 4601	in the second
8. Importing Carrier HJ OSAKA 11	10. Country of Ongin CN	11. Import Date 111809
12. B/L or AWB No. 13. Manufacturer 1D	14. Exporting Country	15. Export Date
HJSCSHAA57190203 CNHANYOUCHA 16. I.T. No. 17. I.T. Date 8. Missing Documents	CN 19. Foreign Port of Lading	102609 120. U.S.Port of Unlading
	57035	4601
21. Location of Goods / G.O. No: 22. Consignee No. E425 SEALAND TERMINAL SAME	23. Importer No. 03-040816000	24. Reference No.
25. Ultimate Consignee Name and Address	26. Importer of Record Name and A PRO LINE MANUFACTURING	
	186 PARISH DR.	
SAME	WAYNE NJ 07470	
CityStateZip	City	State Zip
28. Description of Merchandise	32. 33. A. HTSUS Rate	
29.     30.     31.       Linie     A. HTSUS No,     A. Grossweight     Net Quantily in       No,     B. ADA/CVD No,     B. Manifest Qty,     HTSUS Units	A. Entered Value B. ADA/CVD Ra B. CHGS C. IRC Rate C. Relationship D. Visa No.	Dollars Cents
ADDITION B.L. / AWB NO SHAA57190203	511 CTN	
511.00 CTN YL09156		
001 FOOTWEAR, OTHER		
6405.90.9000 736 276PRS	12.50000 <b>ب</b>	
	C1 OT RELATED	
MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	.21%	
		Contraction of the second s
Other Fee Summary for Block 39 35. Total Entered Value	CBP USE ONLY	TOTALS
FEE 499 6447	A: LIQ CODE B: Ascenained Di	uty 37. Duty
Rotal Other Rees	REASON CODE C. Ascentained Ta	
36.DECLARATION OF IMPORTER OF RECORD ( OWNER OR PURCHASER) OR AUTHORIZED AGENT	D: Ascenained O	0.00
I declare that I am the I Importer of record and that the actual owner,	E Ascentalmed To	
purchaser, or consignee for CBP purposes is as shown above, OR X owner or purchaser or agent thereof. I jurther declare that the merchandise XX was obtained		
prices set forth in the invoices are true, OR was not obtained pursuant to a pur	chase or agreement to purchase and the	statements in the invoices as
to value or price are true to the best of my knowledge and belief. I also declare that the of my knowledge and belief the true prices,values,quantities,rebates,drawbacks,fees		
goods or services provided to the seller of the merchandise either free or at reduced of		
I will Immediately turnish to the appropriate CBP officer any information showing a difference of the second	and the second	
41. DECLARANT NAME TITLE B & H CUSTOMS SERVICES INC. ATTY-IN-FACT	SIGNATURE	DATE 11/19/09
12: Broker Aller Information: (Name, address, phone number)	43. Broker / Importer File No.	
B & H CUSTOMS SERVICES INC. 147-19 SPRINGFIELD LANE # A	473282/29130	
JAMAICA, NY 11413 Tel: 718-525-7050		
l BEC		CBP Form 7501 (06/09)

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## DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET. U.S. Customs and Border Protection

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27.	28. Description of Merchandise	32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
Line No.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate	Qollars Cents
002	FOOTWEAR, OTHER 6405.90.9000 630 360P	S Ci	12.50000%	sold of the
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	1ED .21%	
0.05	FOOTWEAR, OTHER 6405.90.9000 6600 1800P	s second	12.500009	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	1ED . 218	
00:4	FOOTWEAR, OTHER 6405.90.9000 920 2408	7P	36	
11 1	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	CI NOT RELAT		
005	FTWR, MEN, WORN OVER, PROTEC 6404.19.2030 2280 570P		37.500008	5
and the second	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	16D 	
	INVOICE VALUE			
j.				

	•		RLESS	Form		3 No. 1651-0022
DEPARTMENT OF HOMELAND	00001111	1.Filer Code / Entry U47 0469522-8		Entry Typi I ABI/A		imary Date )609
U.S. Customs and Border		4. Surety No. 5. Bo		Port Code	7. En	ry Date
ENTRY SUMMAR	di.	458 8		501	and the second	2409
B. Importing Carrier 9, Mode of HJ LOS ANGELES 11	of Transport	10. Country of Origi CN		ana in nanaritin	AT 1 - 062	iport Date 2409
	nacture: ID NYOUCHA	14. Exporting Coun CN	- Hearranais	1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 1997, 19 20	06	xport Date
16: I.T. No. 17.1.1. Date	18. Missing Documents	19. Foreign Port of 67035	Lading	4	U.S.Port of 4601	
21: Location of Goods / G:O. No. 22: Cons E425 SEALAND TERMINAL SAM	ignee No. E	23. Importer No. 03-040816000	<del></del>	24.	Reference	No.
25 Ultimate Consignee Name and Address	<u> </u>	26. Importer of Rec	ord Name a	nd Addre	ss	
		PRO LINE MAN 186 PARISH DI		ING CO.,I	-L.G	•
SAME	5	WAYNE				
	Zip	NJ 07470 City	· .	State	e	Zip
La Tarta Barren andre in der State eine andre in der State eine andre in der State in der State in der State in		32.	33.	enteteren et tiertigen 	34	
27. 28. Description of N 29. 30.	31.	A. Entered Value	A. HTSUS B. ADA/CV	D Rate	Duty and I.I	
Line A. HTSUS No. A. Grossweigl No. B. ADA/CVD No. B. Manifest O	ht Net Quanfity in	B. CHGS C. Relationship	C. IRC Rat D. Visa No	~ .	Dollars	Cents
ADDITION B.L. / AWB	And and the second s					
SHAA48992004		1378	CTN			:
1378.00 CTN						
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001 FTWR, MEN UPPERS TE	XT MAT.O					•
	36 192PRS	00000	12.500	800		
	)	C1 OT RELATED				
MERCHANDISE PROCESSIN	G FEE		.2	18	· · ·	4300 A
HARBOR MAINTENANCE FE	Ė					
	•				i i	
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Other Fee Summary for Block 39 35, Tota	IEntered Value	CBP USE O	NEY		TOTALS	
FEE 499 @####			3. Ascertain	ed Duty	37. Duty	
	herFees				2019 Store	CHIPPING
s 492		REASON CODE	S. Ascentain	eo tex	38. Tax	0.00
36 DECLARATION OF IMPORTER OF RECOR OR PURCHASER) OR AUTHORIZED AGENT			D. Ascertain	ed Other	39. Other	(C)
Treedare that am the T Impoter of record and the	at the actual owner,	-	E. Ascertain	ed Total	40. Total	
purchaser, or consignee for CBP purposes is as show	vn above, OR XX owner					CHARLES CONS.
or purchaser or agent thereof. I further declare that the prices set forth in the invoices are true, OR was	e merchandise XX was obtained oursuant to a nur	e pursuant to a purcha	ase or agreen	d the state	ments in the	invoices as
to value or price are true to the best of my knowledge	and belief. I also declare that the	ne statements in the do	cuments here	ein filed full	y disclose to	the best
i of my knowledge and belief the true prices, values, qu goods or services provided to the seller of the merch	antities, rebates, drawbacks, fees andise either free or at reduced	commissions, and roy cost are fully disclosed	alles and are	ince and C	onect, and in	at all
I will immediately furnish to the appropriate CBP office	er any information showing a di	ferent statement of fac	ts.			
41. DECLARANT NAME	TITLE	SIGNATURE			DAT	
B & H CUSTOMS SERVICES INC.	ATTY-IN-FACT			·····	05/	23/09
42. Broker / filer information (Name, address, pho B & H CUSTOMS SERVICES INC.	one number)	43. Broker / Impo 469522/2905				
147-19 SPRINGFIELD LÄNE # Å JAMAICA, NY 11413 718-525-7050						
JANAGA, NI 1415 / 10-020-/ 000					CBP Form	7501 (04/05)
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### DEPARTMENT DF THE TREASURY UNITED STATES CUSTOMS SERVICE

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## ENTRY SUMMARY CONTINUATION SHEET

		Description of Matchings	anna ann an Anna an Ann	33	Ω E	nlered Value	34.	A TSUSA Pale	6	), Daily;and LR	l. Tax
	30. A TSUSA NO. B. ADA CVP Care No.	31. A Gross Weight B. Menilest Ob.	Phil Quantity în T.S.U.S.A, Units		8. C			B. ADA/CVD Rate C. LR.C. Rate D. Visto No.		Colliana	Cents
002	FTWR,ME 6405.20.90	UPPERS TE 30 20	T MAT,O 6 426P	s			1	12.50000%			
	MERCHANDIS HARBOR MAI	PROCESSIN NTENANCE FE	F FEE		NOT	RELA	ED	-218			
003	FTWR,ME 6404.19.20	N,WORN OVER	PROTEC 1 324P	1		C I		37.50000%	· .		
an a	MERCHANDIS HARBOR MAI	F PROCESSIN TENANÇE FE	FEE B		NOT	RELÂ	ED	.21%			
	INVOICE VAL	ĴΈ	15911	40							1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-
004	YL09063 FOOTWEA 6401.92.90	3, COV ANK, N 50 50	DT KNEE, 20 1500Pi	R.S.		CI		37.50000%	•	-	
•	F	E PROCESSIN NTENANCE FE			NOT	RELAT	ED	218	•		
005	FOOTWEA 6401.92.90	R,COV ANK,N 60 22	T KNEE, 7 2118P1	s		el <del>s els</del>		37.50000%			
	MERCHANDIS HARBOR MAI	E PROCESSIÑ NTENANCE FE	FEE		ŅОŢ	RELĂŢ	ĒD	<u>.</u> 21%	-		
0.0.6.	FOOTWEA 6405.90.90	R, OTHER DO 503	7 1500PI			Ci		12.500008		2	- 
$\frown$	MERCHANDIS HARBOR MAI	E PROCESSIN NTENANCE FEI	5 FEE		NOT	RELAI	ED:	.Ž1%			
-007	FOOTWEA 6405.90.90	DO OTHER 26	\$2 776P	s		C 1		12.50000%			
2 	MERCHANDIS HARBOR MAI	E PROCESSIN NTENÀNCE FEI	5 FEE		NOT	RELAI	ED	.21%			
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		in the second	1 L 								
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Customs Form 7501-A (030984)

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#### DEPARTMENT OF THE TREASURY UNITED STATES CUSTOMS SERVICE

#### ENTRY SUMMARY CONTINUATION SHEET

© Entry Na. 047 0469522-8

A. B Duty and CR. Tax Description of Merchandise T.S.U.S.A. Rale 34 33, A Entered Value 0 ADA/CVD Rale 31. \land Gross Worght B. Manifest Oly. Nel Quantily in T.S.U.S.A. Units B. CHGS C. Retallonship A TSUSA No. 30. C LR.C. Rale Cents Dollars Line N B, ADA CVD Case No. Visa No. 008 FOOTWEAR, 6405.90.9000 OTHER 3215 948PES 12.50000% 600 D.R. Marsh C. NOT RELATED MERCHANDISE PROCESSING HARBOR MAINTENANCE FEE .218 FEE FOOTWEAR, OTHER 6405.90.9000 0.09 1221 360PRS 12.500008 (1999) **Billion** CI NOT RELATED MERCHANDISE PROCESSING FEE .218 HARBOR MAINTENANCE FE OV/CV,K/C,5903/06/07,OT,OT 6113.00.9055 418 010 7.100008 20 DQZ (Ling) (374) KG C NOT RELATED MERCHANDISE PROCESSING HARBOR MAINTENANCE FEL FEE -218 INVOICE VALUE Customs Form 7501-A (030984)

Non-	· · ·	not	ŕ			
	:	7000	PAPERLESS C	For	n Approved O	MB No. 1651-0022
DEPARTMENT OF HC	MELAND SECURIT	γĴ	1.Filer Code / Enti	Class and all and all here and an end of the second s	v Type	Exp; 03-31-2012
U.S. Customs and	Border Protection	n 🤤	U47 0474338-	2 01 AE	BI/A	020210
ENTRY SU		· · · · · · · · · · · · · · · · · · ·	4. Surety No. 5. B 458 8	1703	Code	. Entry Date 012410
8. Importing Carrier	9. Mode of Transport 11		10. Country of Ori CN	gin		1. Import Date 012410
12. B/L of AWB No. HJSCSHAA60555101	13. Manufacturer ID. MULTI		44. Exporting Cou CN	ntry	1	5. Export Date 123009
16. I.T. No. 17. I.T. Date	18. Missing	Documents	19. Foreign Port o 57035	filading	20. U.S.Po	rt of Unläding
21: Location of Goods / G.O. No.	22. Consignee No.	<u>ا</u> ا	23. Importer No.		24. Refere	nce No.
L737 GARDEN CITY TER 5	03-040816000		03-040816000			: مەرەرە مەرەپ مەرەپ بەرەپ بەرەپ
25. Ultimate Consignee Name and Add PRO LINE MANUFACTURING CO			26. Importer of Re	cord Name and A NUFACTURING	Address	:
186 PARISH DR.	,		186 PARISH D		CO., LLC	
WAYNE	•	1	WAYNE			
NJ 07470 City	StateZir	n í	NJ 07470 City	• •	State	Zin
and the second	iption of Merchandise		32.	33.		34.
29.	30.	31.	A. Enlered Value	A. HTSUS Rate B. ADA/CVD R	oto kanting	nd I.R. Tax
Line A. HTSUS No. A. G No. B. ADA/CVD No. B. M	rossweight Net anifest Oty, HTS	Quantity In SUS Units	B. CHGS C. Relationship	C. IRC Rate D. Visa No.	Dollars	Cents
ADDITION B.L. / SHAA60555101	AWB NO		933	GTN		
833.00 CTN HS09DL123			0:00			
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6405.90.9000	ER 15717	4272PRS		12.50000		
CNHANZHU10HAN			.C1	12.30000		1
MERCHANDISE PROC	ESSING FEE	ľ	OT RELATED	.21%		
HARBOR MAINTENAN				. 415		
		·				
INVOICE VALUE	C. C.					
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		:				
Cliner Fee Summary for Block 39 FEE 499	35. Total Entered Valu	)e	CBP USE O	NLY	TOTA	LS
FEE 501	\$ 64448728>		A: LIQ CODE	B-Ascertained Di	ity 37. Dat	/
	Total Other Fees	. ;	REASONICODE	C. Ascertained Ta	ix 38. Tax	
	\$ 7727230					0.00
36.DECLARATION OF IMPORTER OF				D. Ascertained O	ther 39, Oth	
OR PURCHASER) OR AUTHORIZED /	ord and that the actual ov	voor		E. Ascertained To	tal 40 Tota	
purchaser, or consignee for CBP purposes	is as shown above, OR	XX owner				CALCULAR STREET
or purchaser or agent thereof. I further decl	are that the merchandise	XX was obtained	pursuant to a purcha	ase or agreement to	purchase and	I that the
prices set lorth in the invoices are true, OR to value or price are true to the best of my l	was not obtained	pursuant to a pure	chase or agreement t	o purchase and the	statements in	the invoices as
of my knowledge and belief the true prices,	values,quantities,rebates,	drawbacks,fees c	ommissions, and roy	alties; and are true a	and correct; a	nd that all
goods or services provided to the seller of t	he merchandise either fre	ee o'r at reduced c	ost are fully disclosed	i.		
I will immediately furnish to the appropriate	an 1997 an an 1997 - Malakana dha anna an	ion showing a diff	<u>.</u>	cts.		
41. DECLARANT NAME B & H CUSTOMS SERVICES INC.	TITLE	N-FACT	SIGNATURE			ATE
42. Broker / filer information (Name,add	a constant of a second second	and the second	NO Broker James	SPERIC NE	••••••••••	01/20/10
B & H CUSTOMS SERVICES INC	sos, prione number)		43. Broker / Impor 474338/3000			
147-19 SPRINGFIELD LANE # A	-	ł				
JAMAICA, NY 11413 Tel: 718-52	<b></b> 7050			ſ	BP Form	7501 (06/09)
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Page 2 474338 OMB No. 1651-0022

# DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection

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27.			Description of Merc	handise			32.	A. HTSUS P	ate .	Duty a	34. Ind I.R. Tax	×.
ine Vo.		29. A. HTSUS No. B. ADA/CVD No.	30. A. Grossweight B. Manifest Qty.	31, Net Qua HTSUS	intity In Units	A. Entere B. CHGS C. Relati	5 1	B. ADA/CVE C. IRC Rate D. Visa No.	Rate	Dollars		
C	002	YL09181 FOOTWEA 6405.90.90 CNHANYOUCHA	R, OTHER	91	102PF		CI	1	0008			5 <sup>7</sup>
,		HARBOR MAI	E PROCESSIN NTENANCE FE	G FEE E		NOT	RELĂŢ		.21%	1		
. i	003	FOOTWEA 6405.90.90 ENHANYOUCHA	R, OTHER 00	92	24BF	· .	C1 RELAT		0000%		<del>69=51</del>	8
		HARBOR MAI	E PROCESSIN NTENANCE FE	G FEE E					21%			
•••	004	6405,90.90 SNHANYOUCHA	,		600P		ÇÎ CÎ RELAT	CTATE OF THE OTHER	0008			9
	una;÷	MERCHANDIS HARBOR MAI INVOICE VAL	E PROCESSIN NTENANCE FE	G FEE E					.218		CREEK	
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		PAPERLESS CS		Form Approved OMBING 1651-0022 Epp. 03-31-2012
	DMELAND SECURITY	1.Filer Code / Entr U47 0473290-6		ry Type 3.Summary Date
	Border Protection	4. Surety No. 5. B 458 8	and a second damage of the second	and a second
8. Importing Carrier HJ WILMINGTON	9. Mode of Transport 11	10. Country of Orig	jin	11. Import Date 112509
12. B/L or AWB No. HJSCSHAA57459702	13. Manufacturer ID CNHANYOUCHA	14, Exporting Cou GN	ntry	15. Export Date 110309
16. I.T. No. 17. I.T. Date	18. Missing Documents	19. Foreign Port o 57035	f Lading	20. U.S.Port of Unlading 4601
21. Location of Goods / G.O. No.	22. Consignee No.	23. Importer No.	ٳؠڡڷ؞ۑ؞؞ؚؠڽ <sup>ڹ</sup> ڡٮٮؿڵڹڬ؞ؠۼڿؠۑڂؾۑڷڡڷڵڟؾٮ	24. Reference No.
E425 SEALAND TERMINAL 25. Ultimate Consignee Name and Ad	SAME	03-040816000 26. Importer of Re		Adaroso
SAME		PRO LINE MA 186 PARISH D WAYNE NJ 07470	NUFACTURING	CÖ.,LLC
City 	State Zip	City 32.	33.	<u>State Zip</u> 34.
29. LIne A. HTSUS No. A. (	30. 31. Grossweight Net Quantity in Manifest Qty- HTSUS Units	A. Entered Value B. CHGS C. Relationship	A. HTSUS Rate B. ADA/CVD R C. IRC Rate D. Visa No.	e Duty and I.R. Tax Dollars Cents
ADDITION B.L.				
SHAA57459702 563.00 CT	N	5 63	CIN	
YL09158	1000 B. 1000			
001 FOOTWEAR, OT 6405.90.9000	HER 1491 852PRS	e1	12.50000	8
MERCHANDISE PRO	OPSETNC PPP	NOT RELATED	. 21%	(Transmin)
HARBOR MAINTENA			۵ للن مکروب ا	
	·			
Other Fee Summary for Block 39	35. Total Entered Value			TOTALS
FEE 499	5 CHILDREN P	3	B. Ascertained D	uty 37. Duty
FEE 501	Total Other Fees	REASON CODE	C. Ascentained T	ax 38. Tax
36.DECLARATION OF IMPORTER O		-	D. Ascertained O	0.00
OR PURCHASER) OR AUTHORIZED	AGENT		ander anderen a	
I declare that I am the Importer of re purchaser, or consignee for CBP purpose	cord and that the actual owner, s is as shown above, OR 🕅 owner	-	E. Ascertained T	otal 49-101al
	clare that the merchandise XX was obtain R			
to value or price are true to the best of my	knowledge and belief. I also declare that	the statements in the d	ocuments herein fil	led fully disclose to the best
	s;velues,quantitles,rebales,drawbacks,fee: I the merchandise either free or at reduced			and correct, and that all
( Charles and the second s	e CBP officer any information showing a d		cls.	
41. DECLARANT NAME B & H CUSTOMS SERVICES INC.	TITLE ATTY-IN-FACT	SIGNATURE		DATE 11/23/09
42. Broker / filer information (Name,ad B & H CUSTOMS SERVICES IN	dress, phone number) C.	43. Broker / Impor 473290/2913		
147-19 SPRINGFIELD LANE # A JAMAICA, NY 11413 Tel: 718-5				
	and a second	il .		CBP Form 7501 (06/09)

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Page 2 473290 OMB No 1651-0022

## DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection

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27.	28. Description of Merchandise	<del>.</del>		32.	A	33. HTSUS Rate	Dutv a	34. and I.R. Tax
Line: No.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest Oty: HTSUS Units	- Į)	A. Enter B. CHGS C. Relati	3	В. С.	ADA/CVD Rate IRC Rate Visa No.	Dollars	Cents
002	FOOTWEAR, OTHER 6405.90.9000 1600 600	0 P F		Ci		12.50000%	2 · · · · · · · · · · · · · · · · · · ·	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE		NOT	REDAU	ED	.21%		
002	FOOTWEAR, OTHER 6405.90.9000 320 12	0 P.H		C		12.50000%		
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE		NOT	RELA				
	FLT BOTTOM BOOTS, PR, 640590 FOOTWEAR, OTHER 9902.23.84 419			`•		•		
· ·	6405.90.9000 31	2PÍ	S	C RELA RELA	5	FREE		
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE					.21%		
0.03	LUG BOTTOM BOOTS, PR, 640192 FOOTWEAR, COV ANK, NOT KNEE, 9902.23.85 690		ι.	C	1			• •
		2.PF	S	RELA RELA	Ì.	FREE		ć
-	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE					· .21%		
	1 6405.90.9000 315t 82	2PF	l.	C RELA			B-	
1	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE			·				
00	FOOTWEAR, OTHER 6405.90.9000 2112 57	6PË	•	C C RELA	1	12.50000	8	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE					.:21%		
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#### Page 3 473290 OMB No. 1651-0022

## DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection

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27 e	28. Description of Merchandise	32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
Line No.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest City. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate C. IRC Rate D. Visa No.	Dollars Cents
008	FOOTWEAR, OTHER 6405.90.9000 88 24PF	CI	<b>3</b> 12.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED .21%	0.35
009	FOOTWEAR, OTHER 6405.90.9000 1848 48027	C CI	a 12.50000¥	-
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED 21%	
·0 1:0	BRACES GARTER; MN-MD/RUB/PL 5212.90.0030 294 2000 (282) KG	z ci	6.60000%	<u>É anna an</u>
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	ED .21%	
and the second	INVOICE VALUE	<b>3.5</b>		

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		PAPERLESS CS	1 # 244	orm Approved OMB No: 1651-0022 Exa, 03-31-2012
DEPARTMENT OF HOMELAN U.S. Customs and Border		1.Filer Code / Entry U47 0473579-2	01 ABI//	A 122809
ENTRY SUMMAI	RY	4. Surety No. 5. Bo 458 8	4601	121609
8. Importing Carrier 9. Mode HJ MALTA 11	of Transport	10. Country of Orig CN	in	11. Import Date 121609
12. B/L or AWB No. 13. Man	ulachurer ID Anyoucha	14. Exporting Cour CN	itry	15. Export Date: 112409
16. I.T. No. 17. I.T. Date	18 Missing Documents	19. Foreign Port of 57035	Lading 2	0, U.S. Port of Unlading 4601
	signee No. 40816000	23. Importer No. 03-040816000	2	4. Reference No.
25. Ultimate Consignee Name and Address PRO LINE MANUFACTURING CO.,LLC	<u> </u>	26. Importer of Rec	ord Name and Add	
186 PARISH DR.		186 PARISH D		7,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
WAYNE 		WAYNE NJ 07470		
CifyState	Zip	City	and the second se	tate Zip
28. Description of 1	and the second secon	32	39 A. HTSUS Rate	Duty and I.R. Tax
29. 30. Line A. HTSUS No. A. Grossweig No. B. ADA/CYD No. B. Manifest C	31. ht Net Quantity in ty. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate C. IRC Rate D. Visa No.	Dollars Cents
ADDITION B.L. / AWB SHAA58658004	NO	CEA.	CTN	
654.00 CTN		0.34	CIN	
YL09169				
001 FOOTWEAR, OTHER 6405.90.9000 20	00 1200PRS		12.50000%	
6405.90.9000 20		C1	12.300005	
MERCHANĎISE PROCEESIN		OT RELATED	.218	
HARBOR MAINTENANCE FE				
	•			
FEE 499 00000	I Entered Value	CBP USE O		TOTALS
FEE 501		A LIQ CODE	3. Ascentained Duty	37. Duty
	her Fees	REASON CODE	S. Ascentalined Tax	38. Tax-
36.DECLARATION OF IMPORTER OF RECOR	al Water of the Armed Athendal 1		2. Ascertained Othe	0.00 2 39. Other
OR PURCHASER) OR AUTHORIZED AGENT	and the set of the strangers of the set of the		L Ascertained Tota	
Ucclare that I am the I inporter of record and It purchaser, or consigned for CBP purposes is as sho	wn above, OR KX owner			
or purchaser or agent thereof. I further declare that the	ne merchandise 🕅 was obtained			
prices set lonin in the invoices are true, OR and to value or price are true to the best of my knowledge	and belief. I also declare that th	e statements in the do	ocuments herein filed	fully disclose to the best
of my knowledge and belief the true prices, values, qu	antities, rebates, drawbacks, fees	commissions, and roy	alties and are true an	
goods or services provided to the seller of the merch i will immediately furnish to the appropriate CBP offic				
AL DECLARANT NAME	TITLE	SIGNATURE		DATE
B & H CUSTOMS SERVICES INC.	ATTY-IN-FACT		· · · · · · · · · · · · · · · · · · ·	12/15/09
42. Bloker / file: Information (Name, address, pho B & H CUSTOMS SERVICES INC.	me number)	43. Broker / Import 473579/29139		
147-19 SPRINGFIELD LANE # A				• • • • • • • • • • • • • • • • • • •
JAMAICA, NY 11413 Tel: 718-525-7050				CBP Form 7501 (06/09)
an a	REC	ORD	•	

Page 473579 OMB No. 1651-0022

# DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection 1. Fier Code / Entry No.

27,	28. Description of Merchandise	32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
Line No.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship		Dollars Cents
(002)	FLT BOTTOM BOOTS, PR, 640590 FOOTWEAR, OTHER 9902.23.84 4257			
	6405.90.9000 1542P MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELĂ S OTICIA NOT RELĂ	<b>FREE</b>	
003	FTWR, MEN UPPERS TEXT MAT, 0 6405.20.9030 660 120P	G	1	
004	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE FGOTWEAR, OTHER	NOT RELA	.21%	4
Y	6405.90.9000 792 264P MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	S C NOT RELA	2 12.500004 11 120 120 120 1218	
005	FOOTWEAR, OTHER 6405.90.9000 490 210P	i Ca	12.500004	
006	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE FOOTWEAR, OTHER	NOT RELA	218	
	6405.90.9000 2405 1110P MERCHANDISE PROCESSING FEE	NOT RELA	2 12.500009 ED 218	
007	HARBOR MAINTENANCE FEE FIWR, MEN UPPERS TEXT MAT, O 6405-20.9030	RS C	12.500004	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	.21%	
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				CBP Form 7501 (06/09

## DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection U47 0473579-2

Page 3 473579 OMB No. 1651-0022

27,	ا	t.	<u></u>		28.	. Desi	riptio	n of M	erch	andis	0					32.	A.	HTSU	33. S.Rati	е	Duty a	34 and I.	R. Ta:	x
ine Io.		, J E		29. JS N CVD	o. No.	A. Bi	Gross Manif	i0; weigh est Qty	t k	Net HTS	31, Qua US (	ntity i Units	in i	A. B. C.	Enter CHGS Relati	ed Value 3 ionship	B. A	ADA/C IRC R Visa N	VD A ate		Dellars		Cent	
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• •			IOMELAND SEC		T.Filer Code / Entr U47 0471023-			3.Summary Date 091409
	U.S. Cu		d Border Prot SUMMARY	ection	4. Surety No. 5. B 098 8		4	7. Entry Date 090209
	oning Carner VALENCIA		9. Mode of Tra	nsport	10. Country of Ori CN			11. Import Date 090209
12. 8/	OF AWB No. SCSHAA528063(	13	13: Manufactur CNHANYOL		14. Exporting Cou CN	ntry		15. Export Date 081009
16. I.T.	No.	7. T.T. Dafe	18. M	issing Documents	19: Foreign Portio 57035	FLading	20. U.S.P 4601	ort of Unlading
	ation of Goods/ 25 SEALAND TE		22. Consignee 03-040816(		23. Importer No. 03-040816000		24. Refer	ence No.
PR 186	mate Consignee O LINE MANUFA S PARISH DR. YNE, NJ 07470				26. Importer of Re PRO LINE MA 186 PARISH D WAYNE, NJ 0	NUFACTURING ( )R.		
City			State	Zip	City		State	Zip
<u>.27.</u> Linë	29. A. HTSUS No.		cription of Mercha 30. Grossweight	31. Net Quantity in	32 A. Entered Value B. CHGS	C. IRC Rate		34. and I.R. Tax s Cents
No.	<u>B.ADA/CVD No</u> ADDITI	ON B.L.	Manifest Qty. / AWB NO	HTSUS Units	<u>C. Relationship</u>	<u>D. Visa No.</u>		<u> </u>
	SHAA5 888. YL09		'N		88:	CTN		
100	FTWR 6405.20		ERS TËXT M 506	ÀŤ,O 132prš	C1	12.500004	5	
			CESSING FE	E	NOT RELATED	.21%		
	INVOICE	VALUE		(jakin jejen				•
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Other F	ee Summary for	Block 39	35. Total Enter	ed Value	CBP USE C		TOT	ΔI Q
FEE 4	199 📾		s care			B. Ascertained Du		
ų (ree i			Total Other Fe	es	REASON CODE	C. Ascertained Ta	38. Ta	X
			\$ 690000			D. Ascertained O		0.00
OR PU	RCHASER) OR	UTHORIZE	OF RECORD ( OW D AGENT ecord and that the a	· .		E-Ascentalhed To	and be	
purcha		or CBP purpos	es is as shown abov	ve, OR XX owner	<u> </u>			
prices to valu	set forth in the invo e or price are true t	ices are true, C o the best of m	R was not o w knowledge and be	handise XX was obtain btained pursuant to a p ellef. I also declare that	urchase or agreement the statements in the d	to purchase and the locuments herein file	statements ed fully discl	In the invoices as ose to the best
goods	or services provide	d to the seller	of the merchandise	rebates,drawbacks,fee either free or at reduce Information showing a (	l cost are fully disclose	d.	anu correct,	
				TITLE	SIGNATURE			DATE
42. Bro	H CUSTOMS SE ker / filer informat & H CUSTOMS	ion (Name,a	dress, phone nu	ATTY-IN-FACT mber)	43. Broker/ Impo 471023/2910			12/10/10
. 14	47-19 SPRINGFII AMAICA, NY 114	ELD LANE #	A	· . ·	471023/2910			
مەنىتىپەي مەنەخىمە مەنە	na an an an an an Anna an Air an A 			RE		(	OBH HOLW	17501 (06/09)

Page 2 471023 OMB No. 1651-0022

### DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

U47 0471023-3

ne o. 0 02 0 03 0 03	29. 30 A. HTSUS No. B. ADA/CVD No. FOOTWEAR, COV F 9902.23.85 6401.92.9060 MERCHANDISE PROCH HARBOR MAINTENANC FOOTWEAR, OTHE 6405.90.9000 MERCHANDISE PROCH HARBOR MAINTENANC FOOTWEAR COVEH 6401.99.1000	Veight Net Qui st Qty. HTSUS OTS, PR, 64019 OTS, PR	antity in Units 22 12PE 24PF	B. CHGS C. Relati NOT S NOT	5	C. IRC D. Visa ED ED	CVD Rate	Dollars	and I:R. Tax Cents
002	LUG BOTTOM BOG FOOTWEAR, COV F 9902.23.85 6401.92.9060 MERCHANDISE PROCE HARBOR MAINTENANC FOOTWEAR, OTHE 6405.90.9000 MERCHANDISE PROCE HARBOR MAINTENANC EOOTWEAR COVER 6401.99.1000	INK, NOT KNËË 33 ISSING FEE FEE IR 104 ISSING FEE JE FEE	12Pf 24Pf	S NOT S	RELAT CI	ED 3 1:	.21% 2.50000%		
4	MERCHANDISE PROCH HARBOR MAINTENANO FOOTWEAR, OTHE 6405.90.9000 MERCHANDISE PROCH HARBOR MAINTENANO FOOTWEAR COVER 6401.99.1000 MERCHANDISE PROCH	IE FEE IR 104 Essing fee IE fee	2 4 P F	S NOT S	RELAT CI	ED 3 1:	.21% 2.50000%		
4	FOOTWEAR, OTHE 6405.90.9000 MERCHANDISE PROCE HARBOR MAINTENANC FOOTWEAR COVER 6401.99.1000 MERCHANDISE PROCE	IN 104 ISSING FEE IE FEE		lí .	<b>C1</b>	<u>.</u>			
004	HARBOR MAINTENANC EOOTWEAR COVER 6401.99.1000 MERCHANDISE PROCE	e fee	1H 558Pf	NOT	RELAT	ЕD	. 218		-
004	MERCHANDISE PROCH	RING KNEE, 01 2511	rH 558PF			E.			
	MERCHANDISE PROCE		00021	Ĩ	CÎ CÎ RELAT		7.50000%		e 23
005	HARBOR MAINTENAN FOOTWEAR. OTH	ie fee Gr					.21%		
	6405.90.9000 Merchandise Proci Harbor Maintenan(	SSING FEE	240071	1-	C1 RELAT	ł. i	2.50000% _21%		
0.06	FOOTWEAR, OTHI 6405.90.9000	•	402PI		C1		2.50000%	14	
1	MERCHANDISE PROCI HARBOR MAINTENANC	ISSING FEE Je fee		NOT	RELAT	Ed.	*218		
007	FTWR, MEN UPPER 6405.20.9030	RS TEXT MAT, 2727	, 0 606PI	s	ci	<b>a</b> 1:	2.50000%	5	
	MERCHANDISE PROCI HARBOR MAINTENAN			NOT	RELAT	ËD	.21%		
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#### DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection (Filer Code/ Entry No. |

U47 0471023-3

27. 28. Description of Merchandise 32. 33. A. HTSUS Rate 34 Duty and I.R. Tax A. Entered Value B. CHGS C. Relationship B. ADA/CVD Rate 30. A. Grossweight B. Manifest Oty. 31. Net Quantity in HTSUS Units 29. Dollars Cents Line C. IRC Rate A. HTSUS No. B. ADA/CVD No. No. D. Visa No. FOOTWEAR, OTHER 6405.90.9000 008 1200PHS 4600 12.50000% **FREE A** NOT RELATED MERCHANDISE PROCESSING FEE. HARBOR MAINTENANCE FEE .21% STREET INVOICE VALUE CONTRACTOR OF CBP Form 7501 (06/09)

	21	a 29138	•	
	3 T	PAPERLESS C		Form Approved OMB No., 1651-0022 Exp. 03-31-2012
DEPARTMENT OF HO		1.Filer Code / Entr	y No. 2. Entry	Type 3.Summary Date
U.S. Customs and	• • • • • • •	U47.0473572- 4. Surety No.15. B	701_ABI	
ENTRY SU	and a second	458 8	4601	121009
8. Importing Carrier HJ COLOMBO	9. Mode of Transport 11	10. Country of On CN	ġĺ'n	11. Import Date 121009
12. B/L or AWB No.	To, Manulaciuler ID	14 Exporting Gou	nthý.	15. Export Date
HJSCSHAA58325103 16.1.1. No. 117.1.1. Date	CNHANYOUCHA	CN 19: Foreign Port o	f I ading	20. U.S.Port of Unlading
	To. Missing Documents	57035	r Laonig	4601
21. Location of Goods7 G.O. No. E425 SEALAND TERMINAL	22. Consignee No. SAME	23. Importer No. 03-040816000		24. Reference No.
25. Ultimate Consignee Name and Add	lress	26, Importer of Re	cord Name and A NUFACTURING C	
· · · ·		186 PARISH D		0.,220
SAME	· ·	WAYNE 		· · ·
City	State Zip	Cliv		State Zip
	iption of Merchandise	32.	33. A. HTSUS Rate	Duty and I.H. Tax
29. Line A. HTSUS No. A. G No. B. ADA/GVD No. B. M	30. rossweight Net Quantity in lanifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Ra G. IRC Rate D. Visa No.	te Dollars Cents
ADDITION B.L. / SHAA58325103	AWB NO	133	1 CTN	
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6405.90.9000	IER. 1050 600PRS		12.50000%	O
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MERCHANDISE PROC		NOT RELATED	.21%	
HARBOR MAINTENAN	ICE FEE			4
				*
Other Fee Summary for Block 39	35. Total Entered Value	CBP USE C		TOTALS
FEE 499			B. Ascertained Du	
FEE 501 <u>110.02</u>	Total Other Fees		S. Ascentalned Ta	x 38. Tax
			en e	0.00
36 DECLARATION OF IMPORTER OF OR PURCHASER) OR AUTHORIZED	RECORD (OWNER		D. Ascertained Of	her 39. Other
I declare that I am the Importer of red	cord and that the actual owner,		E Ascertained To	tal 40. Total
purchaser, or consignee for CBP purposes or purchaser or agent thereof. I further dec		ad nursusal to a purch	and or agroomoot to	
prices set forth in the invoices are true, OR	was not obtained pursuant to a p	urchase or agreement	to purchase and the	statements in the invoices as
to value or price are true to the best of my of my knowledge and belief the true prices				
goods or services provided to the seller of	the merchandise either free or at reduced	cost are fully disclose	d.	• • • • • • • • • • • • • • • • • • •
I will immediately furnish to the appropriate 41. DECLARANT NAME	TITLE	SIGNATURE	CIS.	DATE
B & H CUSTOMS SERVICES INC.	ATTY-IN-FACT		•	12/08/09
42. Broker / filer information (Name,add B & H CUSTOMS SERVICES INC		49. Broker / Impor		
147-19 SPRINGFIELD LANE # A		473572/2913	8	
JAMAICA, NY 11413 Tel: 718-52	5-7050			CBP Form 7501 (06/09)
<u>Enri 27:</u>	RÉ	CORD	-	

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2 Page 473572 OMB No: 1651-0022

### DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

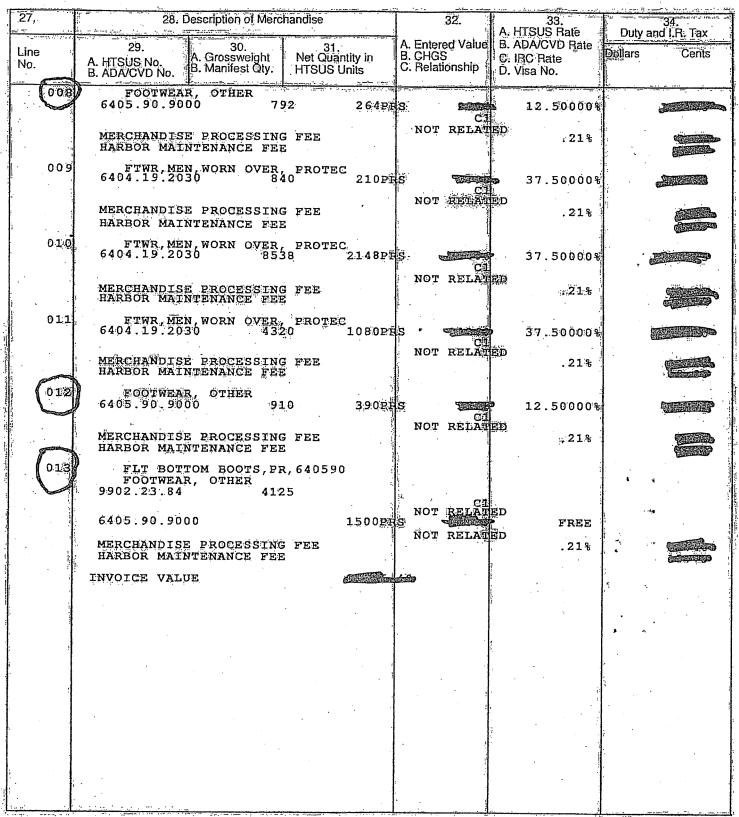
U47 0473572-7

27.	28. Description of Merchan	dise	32.	33. A. HTSUS Rate	3. Duty and I	
Line No.	29. 30, A. HTSUS No. A. Grossweight N. B. ADA/CVD No. B. Manifest Qty. H	31. Vet Quantity in ITSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Rate C. IRC Rate D. Visa No.	Dollars	Cents
002	FOOTWEAR, OTHER 6405.90.9000 2000	1200PF	s 👓	12.50000%	F	
A	MERCHANDISE PROCESSING E HARBOR MAINTENANCE FEE	FEE	NOT RELAT	ED .21%		
003	FOOTWEAR, OTHER 6405,90.9000 582	282PF	s <b>Dec</b>	12.50000%		
•	MERCHANDISE PROCESSING E HARBOR MAINTENANCE FEE	ree	NOT RELAT	ED .21%	· · · · · · · · · · · · · · · · · · ·	
004	FLT BOTTOM BOOTS, PR, 6 FOOTWEAR, OTHER 9902,23.84 1403	540590				•
	6405.90.9000	732PF		FREE		
	MERCHANDISE PROCESSING I HARBOR MAINTENANCE FEE	FEE	NOT RELAT	.21%	ć	
005	FLT BOTTOM BOOTS, PR, 6 FOOTWEAR, OTHER 9902.23.84 506	540590				
•	6405.90.9000	264PF	NOT RELAT S NOT RELAT	FREE		
	MERCHANDISE PROCESSING H HARBOR MAINTENANCE FEE	fee		.21%		
006	FOOTWEAR, OTHER 6405.90.9000 5520	1440PF	Ċ	12.50000%		<del>10:00</del>
•	MERCHANDISE PROCESSING I HARBOR MAINTENANCE FEE	fee	NOT RELAT	21%		
007	FOOTWEAR, OTHER 6405.90.9000 660	180P1	C	> 12.50000%	<b>1</b>	
	MERCHANDISE PROCESSING I HARBOR MAINTENANCE FEE	FEE	NOT RELAT	.21%		
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Page 3 473572 OMB No. 1651-0022

### U.S. Customs and Border Protection 1.Fler Code/Entry 1.

U47 0473572-7



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	C/ BEOR		TANA	Form Appro	ved OMB_No. 1651-0022
	MELAND SECURITY	T.Filer Code / Entr	y No. 2. Entry	r Туре	3.Summary Date 011510
•		4. Surety No. 5. Bo 458 8	ond Type 6. Port 4601	Code	7. Entry Date 010610
8. Importing Carrier HJ SHANGHAI	9. Mode of Transport 11	10. Country of Orig		11. Import Date 010610	
12. B/L or AWB No. HJSCSHAA59904605	13. Manufacturer ID CNHANYOUCHA	14. Exporting Coul CN	itry		15. Export Date 121509
16. 1.T. No. 17. I.T. Date	18. Missing Documents	-F	Lading	1	ort of Unlading
21. Location of Goods / G.O. No. E416 MAHER TERM BLDG 2	22. Consignee No. 03-040816000	23. Importer No.		24. Refe	ence No.
25. Ultimate Consignee Name and Add PRO LINE MANUFACTURING CO 186 PARISH DR. WAYNE NJ 07470 City	.,LLC	26. Importer of Re PRO LINE MAI 186 PARISH D WAYNE NJ 07470	NUFACTURING	CO.,LLC	Zìp
		32.	33.		34.
29. Line A. HTSUS No. A. C	30. 31. arossweight Net Quantity in fanifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship	B. ADA/CVD Ra	nto ili	·
ADDITION B.L. / SHAA59904605	YAWB NO				
6405.20.9030	770 210PRS	C1 NOT RELATED	12.50000%		<u>E 100</u>
	ESSING FEE		,21%		
	•				
Other Fee Summary for Block 39	35, Total Entered Value	CBP USE O	I NLY	Тот	ALS
FEE 499	s				
	Total Other Lees	REASON'CODE	3. Ascenained Te	1 <b>X: 38.</b> Ta	
36.DECLARATION OF IMPORTER OF OR PURCHASER) OR AUTHORIZED			D. Ascertained Of	iher 39. O	send the set of a set
I declare that I am the Importer of re-	U.S. Customs and Border Protection ENTRY SUMMARY       9 (1.46)/3.       6115/0 (1.5007 Dig 6. Por Code 458 (3.5007 Dig 6. Por Code 458 (3.5007 Dig 6. Por Code 459 (3.5007 Dig 6. Por Code 4501 (1.5007 Dig 6. Por Code 7005 (1.5007 Dig 7. Por Code 7005 (1.500				
prices set forth in the involces are true, OF to value or price are true to the best of my of my knowledge and belief the true prices goods or services provided to the seller of	was not obtained pursuant to a	urchase or agreement t the statements in the d s commissions, and roy I cost are fully disclosed	o purchase and the ocuments herein file alties and are true i d.	statements ed fully discl	In the invoices as ose to the best
AT. DECLARANT NAME B & H CUSTOMS SERVICES INC.		SIGNATURE	<u></u>		
42. Broker / filer information (Name add B & H CUSTOMS SERVICES IN	fress, phone number) C.				
1	25-7050	CORD		CBP F	om 7501 (06/09)

DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Gustoms and Border Protection TEllar Code / Entry No.

U47 0474325-9

27,	28. Description of Metchandise	32.	33. A. HTSUS Rate	34. Duty and I.R. Tax
ine lo.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No. B. Manifest Qty. HTSUS Units	A. Entered Value B. CHGS C. Relationship		Dollars Cents
002	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 1200 300PI	s 🕬	<b>12.50000</b> %	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	ED .21%	(
003	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 296 108PF	c	<u>i</u>	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	.21%	
004	FOOTWEAR, COV ANK, NOT KNEE, 6401.92.9060 9500 2850P1	l C.	1	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	1ED .21%	
0.05	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 120 36PI	C:	1,2,50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELAT	.21ŝ	
0.0.6	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 4080 1020P	C	12.50000%	terres.
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	18D .21%	
0.07	FOOTWEAR, OTHER 6405.90.9000 2280 1368P	C:	₽ 12.50000¥	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	.21%	
008	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 380 114P	C	12.500008	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	1 <u>ED</u> .21%	
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### DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

U47 0474325-9

27.	28. Description of Merchandise	32,	33. A. HTSUS Rate	34. Duty and I.R. Tax
Line No.	29. 30. 31. A. HTSUS No. A. Grossweight B. ADA/CVD No., B. Manifest City. HTSUS Units	A. Entered Value B. CHGS C. Relationship		Dollars Cents
00g	FOOTWEAR, OTHER 64D5.9D.9000 2320 696P1	s deserved	12.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA!	1ED .21%	
610	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 1650 900P1	C:	1	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	.21%	
011	FTWR, MEN UPPERS TEXT MAT, O 6405.20.9030 1100 300P	s C	12.50000%	
	MERCHANDISE PROČESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	1ED .21%	
012	FOOTWEAR, COV ANK, NOT KNEE, 6401.92.9060 30 691	C	37.50000 <b>%</b> 1	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	BED .21%	
013	FOOTWEAR, OTHER 6405.99.9000 1035 540P	C	12.50000%	·
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	1ED .21%	
014	FTWR, MEN UPPERS TEXT MAT, 0 6405, 20, 9030 2000 600P	S c	12.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	1ED .21%	
015	<b>FTWR, MEN UPPERS TEXT MAT, O</b> 6405.20.9030 2160 480P	s C	12.50000%	
	MERCHANDISE PROCESSING FEE HARBOR MAINTENANCE FEE	NOT RELA	1ED .21%	

### Page 4 474325 OMB No. 1651-0022

## DEPARTMENT OF HOMELAND SECURITY ENTRY SUMMARY CONTINUATION SHEET U.S. Customs and Border Protection

27.	28. [	Description of Merc	handise	32.		33. A. HTSUS Rate	Dutv a	34. nd I.R. Tax
ine vo.	29. A. HTSUS №. B. ADA/CVD №.	30. A. Grossweight B. Manifest Qty«	31. Net Quantity in HTSUS Units	A. Entered B. CHGS C. Relations	Value E	3. ADAVCVD Rate C. IRC Rate D. Visa No.	Dollars	Cents
016	FTWR, ME 6405.20.90	N UPPERS TEX 30 11	KT MAT, O 55 210P	s 4	ci	12.50000%		49900
	MERCHANDIS HARBOR MAI	E PROCESSIN( NTENANCE FEI	g fee S	NOT RE	elatei	.21%		
017	6405.90.90	R OTHER 00 11	50 504P	Ŧ.	C1	12,50000%		
		E PROCESSIN( NTENANCE FEI		NOT RI	ELATEI	.21%		
018	FTWR, ME 6405.20,90	N UPPERS TE: 30 9!	<b>ХТ МАТ, О</b> 50 З96Р	R <sup>isin</sup> 9	ci	12.50000%		
	MERCHANDIS HARBOR MAI	E PROCESSING NTENANCE FEI	G FEE E	NOT RI	ELATEI	.21¥		, Maria
019	FOOTWEAL 6405.90.90	R, OTHER 00 2	20 609		C1	12.50000%		
	MERCHANDIS HARBOR MAL	E PROCESSIN( NTENANCE FEI	G FEE E	NOT RI	elatei	.21%		
	INVOICE VAL	UE		<del>. 38</del>				. ·
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DEPARTMENT OF HOUS U.S. Customs and			1.Filer Code / Entry No. 2. Entry 7 U47 0472002-6 01 AB//			Type 3.Summary Dat	
ENTRY S	UMMARY		4. Surety No. 5. Bo 458 8	6. Port Cod 4601		itry Date 3009	
8. Importing Carlier HJ WILMINGTON	9. Mode of Trans 11	•	10. Country of Orig CN	mport Date 3009			
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16. I.T. No. 17. I.T. Date		sing Documents	19. Foreign Portfol 57035	Lading		U.S.Port of 4601	
21. Location of Goods / G.O. No. E425 SEALAND TERMINAL	22. Consignee I SAME	No.	23. Importer No. 03-040816000		1	Reference	• No.
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42. Broker/ filer information (Name ad B & H CUSTOMS SERVICES IN 147-19 SPRINGFIELD LANE # /	Ċ	iber)	49. Broket / Impor 472002/2911		<u>.</u>		
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DEPARTMENT OF THE TREASURY UNITED STATES CUSTOMS SERVICE

## ENTRY SUMMARY CONTINUATION SHEET

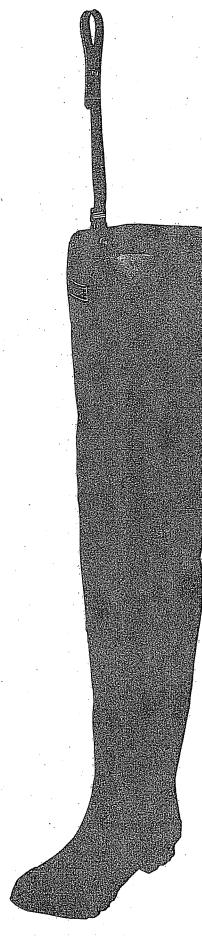
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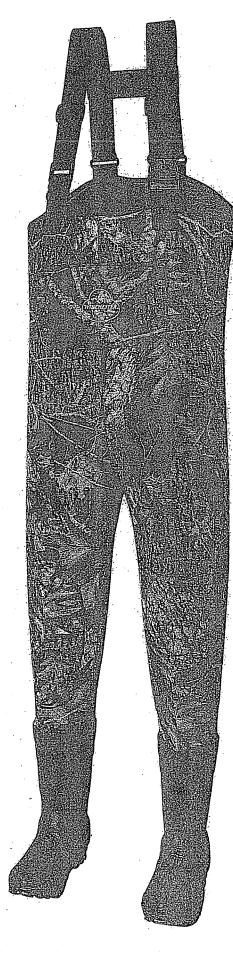
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DEPARTMENT OF THE TREASURY UNITED STATES CUSTOMS SERVICE

## ENTRY SUMMARY CONTINUATION SHEET

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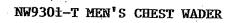


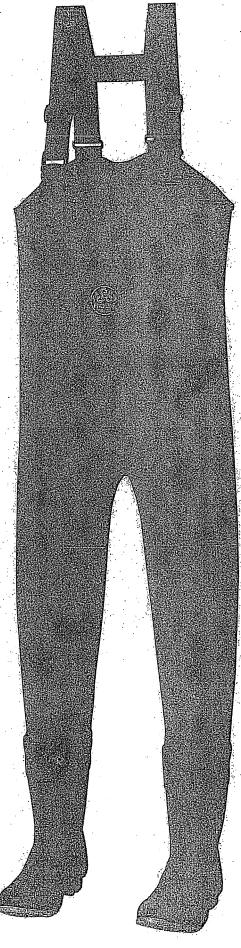
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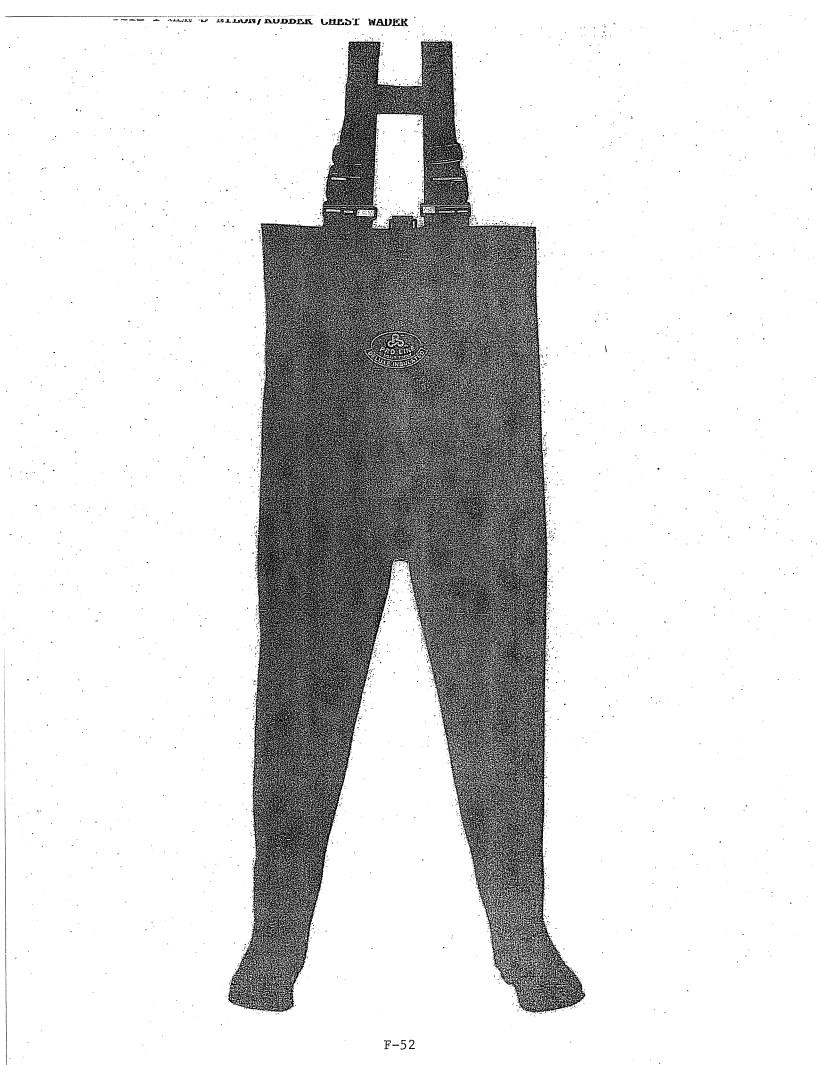




### 121M-T MEN'S RUBBER KNEE BOOT



F-51



# **APPENDIX G**

# SUBMISSION FROM McGUIRE WOODS LLP, ON BEHALF OF FOOTWEAR DISTRIBUTORS AND RETAILERS OF AMERICA (January 7, 2011, written views)

McGuireWoods LLP 1345 Averue of the Americas Seventh Floor New York, NY 10105-0106 Phone: 212.548.2100 Fax: 212.548.2150 www.mcguirewoods.com

**McGUIREWOODS** 

JOHN B. PELLEGRINI 212.548.7020 Fax 212.715.2301 jpellearini@mcauirewoods.com

January 7, 2011

Secretary United States International Trade Commission 500 E Street, SW Washington, D.C. 20436

> Certain Footwear: Recommendations for Modifying The Harmonized Tariff Schedule of the United States – Investigation No. 1205-8 (Addendum)

Dear Ms. Abbott:

These comments are filed on behalf of Footwear Distributors and Retailers of America ("FDRA") in connection with the Proposed Modifications Based on Customs Documentation Received from Interested Parties ("Proposed Modifications") posted to the Commission's Web site December 29, 2010 and relating to the cited matter.

FDRA is a trade association of some 125 retailers, importers, distributors and producers of footwear. FDRA members account for some three-quarters of United States retail sales and imports of footwear.

Investigation No. 1205-8 was prompted by a request from the Department of the Treasury ("Treasury"). The Treasury request addresses the classification of certain footwear with rubber/plastic ("R/P") outsoles to which textile materials have been attached. Under current classification approaches, this footwear is treated as having an outer sole of textile materials and is classified in heading 6405 of the Harmonized Tariff Schedule of the United States ("HTS"), generally at duty rates of 7.5% (vegetable fiber uppers) or 12.5% (uppers of other textile materials or R/P). Treasury recommended the creation of Additional U.S. Note 5 which, in effect, would treat the

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Investigation 1205-8 (Addendum) January 7, 2011 Page 2

textile material as an accessory or reinforcement such that it would not be considered in determining the material of the outer sole.

The Commission issued a report in August containing its recommendations regarding modifications. *Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States*, USITC Pub. 4178 (August 2010) (the "Report"). The United States Trade Representative ("USTR") requested that the Commission make additional recommendations relating to: 1) new submissions of entry documentation by interested parties on footwear classified at liquidation in HTS heading 6405 that under the modifications recommended in the Report would migrate to subheadings 6404.11 or 6404.19; and 2) whether the information previously provided by FDRA and others with respect to adding tariff lines in headings 6401 and 6402 was adequate.

FDRA submitted additional customs entry documentation December 7, 2010.

FDRA has reviewed the Proposed Modifications and is pleased that they include all of the subheadings for which it was able to provide documentation. FDRA's sole comment is that the Proposed Modifications are acceptable and that no changes are necessary.

Please contact the undersigned if you have any questions on this submission.

Respectfully,

McGUIREWOODS LLP

John B. Pellegrini

cc: FDRA JBP:bam \28553730,1

### **APPENDIX H**

SUBMISSION FROM ARENT FOX, ON BEHALF OF RUBBER AND PLASTIC FOOTWEAR MANUFACTURERS ASSOCIATION (January 10, 2011, written views)

Arent Fox LLP / Washington, DC / New York, NY / Los Angeles, CA

# Arent Fox

January 10, 2011

Ms. Marilyn R. Abbott Secretary United States International Trade Commission 500 E Street SW Washington, DC 20436 Marc L. Fleischaker Attomey 202.857.6053 DIRECT 202.715.8483 FAX fleischaker.marc@arentfox.com

Re: <u>Addendum to USITC Investigation No. 1205-8 (Certain Footwear: Recommendations</u> for Modifying the Harmonized Tariff Schedule of the United States

Dear Ms. Abbott:

I am writing on behalf of the Rubber and Plastic Footwear Manufacturers Association (RPFMA). The RPFMA represents the principal domestic producers of protective footwear and rubber-sole, fabric-upper footwear, as well as suppliers of components to the industry. The names and locations of RPFMA's members are attached hereto.

The RPFMA has reviewed the addendum to USITC Investigation No. 1205-8 recently released by the Commission and has no objections to the proposed modifications described in that report. We are pleased to note the statement that the modifications previously recommended by the Commission remain in place and are before Congress under the layover provision in section 1206 of the Omnibus Trade and Competitiveness Act of 1988. Our understanding is therefore that the 60-legislative day Congressional layover period to review the Commission's recommendations that began on September 14, 2010, continues to run from that date.

We appreciate the opportunity to express the RPFMA's views regarding this investigation. Please contact me at your convenience if you have any questions.

Sincerely,

Marc Muschshe

Marc L. Fleischaker

Attachment

SMART IN YOUR WORLD"

1050 Connecticut Avenue, NW Washington, DC 20036-5339 T 202.857.6000 F 202.857.6395 1675 Bruadway New York, NY 10019-5820 T 212.484.3900 , F 212.484.3990 555 West Fifth Street, 48th Floor Los Angeles, CA 90013-1065 T 213.629.7400 F 213.629.7401

H-1

Ms. Marilyn R. Abbott January 10, 2011 Page 2

# Arent Fox

### Attachment

Rubber & Plastic Footwear Manufacturers Association Members

Bixby International Corp. Newburyport, MA

Coats North America Charlotte, NC

Dela Incorporated Ward Hill, MA

Draper Knitting Co., Inc. Canton, MA

Genfoot America, Inc. Littleton, NH

Honeywell Safety Products Rock Island, IL

Jones & Vining, Inc. Brockton, MA New Balance Athletic Shoe, Inc. Boston, MA

Newgrange Group LLC North Smithfield, RI

Onguard Industries Belcamp, MD

Packaging Corporation of America Cutchogue, NY

SGFootwear Hackensack, NJ

Shawmut Corporation. West Bridgewater, MA

Sheehan Sales Associates, Inc. Topsfield, MA

Tingley Rubber Corporation South Plainfield, NJ

## **APPENDIX I**

# COPY OF SECTIONS 1205 AND 1206 OF OMNIBUS TRADE AND COMPETITIVENESS ACT OF 1988 (19 U.S.C. 3005-3006)

### Sections 1205 and 1206 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 3005 and 3006)

### § 3005. Commission review of, and recommendations regarding, Harmonized Tariff Schedule

### (a) In general

The Commission shall keep the Harmonized Tariff Schedule under continuous review and periodically, at such time as amendments to the Convention<sup>1</sup> are recommended by the Customs Cooperation Council for adoption, and as other circumstances warrant, shall recommend to the President such modifications in the Harmonized Tariff Schedule as the Commission considers necessary or appropriate—

(1) to conform the Harmonized Tariff Schedule with amendments made to the Convention;

(2) to promote the uniform application of the Convention and particularly the Annex thereto;(3) to ensure that the Harmonized Tariff Schedule is kept up-to-date in light of changes in technology or in patterns of international trade;

(4) to alleviate unnecessary administrative burdens; and

(5) to make technical rectifications.

### (b) Agency and public views regarding recommendations

In formulating recommendations under subsection (a) of this section, the Commission shall solicit, and give consideration to, the views of interested Federal agencies and the public. For purposes of obtaining public views, the Commission—

(1) shall give notice of the proposed recommendations and afford reasonable opportunity for interested parties to present their views in writing; and

(2) may provide for a public hearing.

(c) Submission of recommendations

The Commission shall submit recommendations under this section to the President in the form of a report that shall include a summary of the information on which the recommendations were based, together with a statement of the probable economic effect of each recommended change on any industry in the United States. The report also shall include a copy or summary, prepared by the Commission, of the views of all other interested parties.

### (d) Requirements regarding recommendations

The Commission may not recommend any modification to the Harmonized Tariff Schedule unless the modification meets the following requirements:

<sup>1</sup> "Convention" refers to the Harmonized System Convention; the "Annex" to the Convention is the Harmonized Commodity Description and Coding System (HS), which is incorporated in the structure of the Harmonized Tariff Schedule of the United States. Both the Convention and its Annex are maintained by the Customs Cooperation Council (widely known as the World Customs Organization) in Brussels, Belgium.

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(1) The modification must—

(A) be consistent with the Convention or any amendment thereto recommended for adoption;

(B) be consistent with sound nomenclature principles; and

(C) ensure substantial rate neutrality.

(2) Any change to a rate of duty must be consequent to, or necessitated by, nomenclature modifications that are recommended under this section.

(3) The modification must not alter existing conditions of competition for the affected United States industry, labor, or trade.

### § 3006. Presidential action on Commission recommendations

#### (a) In general

The President may proclaim modifications, based on the recommendations by the Commission under section 3005 of this title, to the Harmonized Tariff Schedule if the President determines that the modifications—

(1) are in conformity with United States obligations under the Convention; and

(2) do not run counter to the national economic interest of the United States.

### (b) Lay-over period

(1) The President may proclaim a modification under subsection (a) of this section only after the expiration of the 60-day period beginning on the date on which the President submits a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that sets forth the proposed modification and the reasons therefor,

(2) The 60-day period referred to in paragraph (1) shall be computed by excluding-

(A) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die; and

(B) any Saturday and Sunday, not excluded under subparagraph (A), when either House is not in session.

#### (c) Effective date of modifications

Modifications proclaimed by the President under subsection (a) of this section may not take effect before the 30<sup>th</sup> day after the date on which the text of the proclamation is published in the Federal Register.

(Pub.L. 100-418, Title I, § 1205-1206, Aug. 23, 1988, 102 Stat. 1151; Pub.L. 109-432, Div. D, Title III, § 3012, Dec. 20, 2006, 120 Stat. 3177.)