



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

### I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

## II. Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Plain weave poplin or broadcloth fabrics of cotton, containing 85 percent or more by weight of cotton, dyed, weighing more than 100 g/m<sup>2</sup> but not more than 200 g/m<sup>2</sup>, of numbers 43 to 68 (provided for in subheading 5208.32.40).

Description above compared with bill as introduced:

- Same  
 Different (see Technical Comments section)

## III. Other product information, including uses/applications and source(s) of imports

Poplin is a plain-weave ribbed fabric. It is a sturdy, all-purpose fabric that is used in a wide range of apparel applications, including sportswear, shirts, boys' suits, uniforms, blouses, and dresses. Broadcloth fabric is similar to poplin, but with a finer rib. It is a very tightly woven, plain-weave fabric with a crosswise rib. Broadcloth may be used to make shirts, dresses, blouses, and summer wear. The subject fabrics are primarily of cotton (at least 85 percent by weight), but may contain other fibers.

Major sources for U.S. imports are China, Indonesia, and Germany.

## IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	5208.32.40				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty (%)	9.7	9.7	9.7	9.7	9.7
Estimated value of <i>dutiable</i> imports (\$)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Customs revenue loss (\$)	291,000	291,000	291,000	291,000	291,000

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce  
 Provided by industry sources  
 Industry information  
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction  
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%)  Temporary rate (%)  Percentage point reduction (%)

## V. Technical comments

It is suggested that the article description be amended to match the language set forth in section II, above, but with one change that cannot be shown in this software format: the "m<sup>2</sup>" should be replaced by "m" followed by a superscript "2". The article description was modified to describe more clearly the subject poplin and broadcloth fabrics.

## VI. Continuation

The source of the USITC analyst's information is Textiles InDepth, "Poplin Fabric," and Textiles InDepth, "Broadcloth Fabric," [www.textilesindepth.com](http://www.textilesindepth.com) (accessed May 1, 2012).

If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.

## VII. Contacts with domestic firms/organizations

	# Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	DyStar L.P. (Interested entity) Ashley Craig	202-344-4000	No	No	No
2	Alice Mills, Inc. Bradley Wurst	203-656-3399	Yes	Yes	Yes
3	Copland Fabrics, Inc. Jason Copland	336-226-0272	Yes	Yes	Yes
4	Inman Mills Ben Truslow	864-472-0252	Yes	Yes	Yes
5	Milliken & Company Kathi Duthil	202-775-0084	Yes	Yes	Yes
6	Mount Vernon Mills David Hastings	864-688-7180	Yes	Yes	Yes

## Gaffney, Shannon

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**From:** bwurst@alicemillsinc.com  
**Sent:** Thursday, April 26, 2012 10:59 AM  
**To:** Gaffney, Shannon  
**Subject:** Opposition to H.R. 3972

Dear Shannon,

Please accept this email as the formal opposition to bill H.R. 3972 seeking a temporary duty suspension for HTS 5208.32.40.20 classified as woven fabrics of cotton containing 85% or more by weight of cotton not exceeding 200 g/sqmtr, plain weave broadcloth or poplin or sheeting, dyed.

Alice Mills and Alice Manufacturing produce and sell woven greige cotton fabrics classified under HTS 5208.11 & 5208.12 that is dyed and finished here in the U.S.

We strongly oppose the temporary duty as suggested in H.R. 3972.

Please contact me if you should have any questions.

Thank you and regards,

Bradley Wurst

Alice Mills, Inc.  
3 Thorndal Circle  
Darien, CT 06902  
203.656.3399 work  
203.979.5178 cell

## Gaffney, Shannon

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**From:** Jason Copland <jason.copland@coplandfabrics.com>  
**Sent:** Wednesday, April 25, 2012 2:06 PM  
**To:** Gaffney, Shannon; sara beatty  
**Subject:** H.R. 3972 (cotton woven fabric)

Shannon,

We must oppose HR 3972 under the subheading 5208.32.4020 for dyed cotton and broadcloth. My family's business can surely provide these fabrics. Moreover, these basic commodities can be supplied by many other greige mills (Hamrick Mills in Gaffney SC, Alice Mills in Easley SC, Inman Mills, Mt. Vernon Mills, etc.). They can also be dyed at many, many places in the US. There is no way we should allow these products in duty free. Please feel free to contact me with any questions you may have.

Jason Copland  
President and CEO  
Copland Fabrics, Inc.  
Burlington, NC  
[www.coplandfabrics.com](http://www.coplandfabrics.com)

## Gaffney, Shannon

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**From:** Truslow, Ben <BTruslow@inmanmills.com>  
**Sent:** Thursday, April 19, 2012 9:32 AM  
**To:** Gaffney, Shannon; Freund, Kimberlie  
**Subject:** RE: HR 3872

Thanks Shannon – yes, we make fabrics that fall within that description and therefore oppose the bill to suspend duties on imports.

Sincerely,  
Ben Truslow  
Inman Mills

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**From:** [Shannon.Gaffney@usitc.gov](mailto:Shannon.Gaffney@usitc.gov) [<mailto:Shannon.Gaffney@usitc.gov>]  
**Sent:** Thursday, April 19, 2012 8:51 AM  
**To:** Truslow, Ben; [Kimberlie.Freund@usitc.gov](mailto:Kimberlie.Freund@usitc.gov)  
**Subject:** RE: HR 3872

Hi Ben,

Sorry for the confusion. I have not been able to confirm the product description with the sponsor of the bill. At this point, we are counting any product that falls under the description in the bill as “the same product.” (i.e. “woven fabric of cotton, containing 85% or more by weight of cotton, dyed, plain weave, weighing more than 100 g/m2 and not more than 200 g/m2, poplin or broadcloth,” as you correctly explain below.)

If I hear something different from the sponsor, I’ll be sure to let you know.

Does Inman Mills make this product domestically?

And is Inman Mills opposed to Bill HR3872?

Thanks very much.

Shannon

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**From:** Truslow, Ben [<mailto:BTruslow@inmanmills.com>]  
**Sent:** Wednesday, April 18, 2012 3:22 PM  
**To:** Gaffney, Shannon; Freund, Kimberlie  
**Subject:** RE: HR 3872

Thanks Shannon – specifically what is the construction?

The below fabric would be a “woven fabric of cotton, containing 85% or more by weight of cotton, dyed, plain weave, weighing more than 100 g/m2 and not more than 200 g/m2, poplin or broadcloth”.

This could be a 2.95 oz/sq yd to 5.9 oz/sq yd made from yarn count in the 25’s – 40’s range – can you please pinpoint in question #1 what “the same product” would be?

I apologize if I missed something with a specific construction?

Thanks and best regards,  
Ben Truslow

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**From:** [Shannon.Gaffney@usitc.gov](mailto:Shannon.Gaffney@usitc.gov) [mailto:Shannon.Gaffney@usitc.gov]

**Sent:** Wednesday, April 18, 2012 3:07 PM

**To:** Truslow, Ben; [Kimberlie.Freund@usitc.gov](mailto:Kimberlie.Freund@usitc.gov)

**Subject:** RE: HR 3872

Hi Ben,

Many thanks for reaching out to us. In order to complete the tariff bill, I need to ask you two brief questions:

1. Does Inman Mills make either the same product specified in the bill or a competing product domestically?
2. If Inman Mills opposes HR 3872, could you please state that explicitly?

An email response is all I require. Apologies if these questions seem repetitive; they are directly asked as a part of the bill report process, so I want to make sure I am interpreting your feedback correctly.

Thanks again!

Sincerely,  
Shannon

**Shannon L. Gaffney**

International Trade Analyst

Chemicals and Textiles Division

U.S. International Trade Commission

Phone: (202) 205-3316

[Shannon.Gaffney@USITC.gov](mailto:Shannon.Gaffney@USITC.gov)

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**From:** Truslow, Ben [mailto:BTruslow@inmanmills.com]

**Sent:** Wednesday, April 18, 2012 10:18 AM

**To:** Gaffney, Shannon; Freund, Kimberlie

**Subject:** HR 3872

Dear Shannon and Kimberlie,

Mike Hubbard with NCTO has filled me in on your request for input on Misc Tariff Bill (HR 3872) specifically HTS 5208.32.40.

Although the class specification is broad (ranging from 100 g/m<sup>2</sup> to 200 g/m<sup>2</sup>), Inman Mills can produce fabrics domestically that fall into this category so this could impact our business.

We appreciate your attention to this matter and please advise if you require any additional information from Inman Mills.

Sincerely,

Ben Truslow

VP Sales

Inman Mills

300 Park Rd

Inman, SC 29349

(864) 472-0252

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## Gaffney, Shannon

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**From:** Jones, Jackie  
**Sent:** Wednesday, April 18, 2012 2:37 PM  
**To:** Gaffney, Shannon  
**Subject:** FW: Responding to Request for Comment on MTB bill HR 3972 (cotton woven products)

**From:** Kathi Dutilh [<mailto:kdutilh@millikendc.com>]  
**Sent:** Wednesday, April 18, 2012 2:21 PM  
**To:** Jones, Jackie  
**Cc:** Jack Spoon; Sara Beatty  
**Subject:** Responding to Request for Comment on MTB bill HR 3972 (cotton woven products)

Dear Jackie,

This note is in response to a request for comments on H.R. 3972 -- a temporary duty suspension on certain cotton woven fabrics classified in HTS subheading [5208.32.4020](#) - Dyed Poplin or Broadcloth, greater than or equal to 85 percent by weight of cotton, greater than 100 g/m<sup>2</sup> but not exceeding 200g/m<sup>2</sup>, #43 to #68.

Milliken & Company, headquartered in Spartanburg, SC, objects to the inclusion of HR 3972 proposed by Cong. Watt, for inclusion into the Miscellaneous Tariff Bill.

For more than two years, Milliken & Company has produced an 88/12 cotton-nylon plain weave poplin product specifically the flame resistant market. We are currently exploring new products, with two in development, also for the protective market. An elimination of duty on cotton fabric imports falling under 6006.22.9020 would impact our business plans.

Thanks for the opportunity to comment.

**Kathi Dutilh**  
Manager, Government Relations  
Milliken & Company  
202-775-0084  
[kdutilh@millikendc.com](mailto:kdutilh@millikendc.com)

[www.milliken.com](http://www.milliken.com)

The logo for Milliken, featuring the word "Milliken" in a blue, cursive script font.

## Gaffney, Shannon

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**From:** Hastings, David <davhast@mvmills.com>  
**Sent:** Tuesday, April 24, 2012 4:29 PM  
**To:** Gaffney, Shannon  
**Subject:** Re: Temporary duty suspension (HR 3972)

Shannon,

Mount Vernon, and most other US weavers, currently produce HTS 5208.32.40.20 domestically and strongly oppose temporary duty suspension.

Thank you for reaching out to me on this matter and if you have any questions please give me a call at 864-688-7180.

Best Regards,

David Hastings

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**From:** "Shannon Gaffney" <[Shannon.Gaffney@usitc.gov](mailto:Shannon.Gaffney@usitc.gov)>  
**To:** [davhast@mvmills.com](mailto:davhast@mvmills.com)  
**Sent:** Tuesday, April 24, 2012 1:01:59 PM  
**Subject:** Temporary duty suspension (HR 3972)

Dear Mr. Hastings,

Attached is bill HR 3972. The proponents are seeking a temporary duty suspension for HTS 5208.32.40.20, woven fabric of cotton, containing 85 percent or more by weight of cotton, dyed, plain weave, weighing more than 100 g/m<sup>2</sup> and not more than 200 g/m<sup>2</sup>, poplin or broadcloth.

I am contacting domestic firms to determine if they are engaged in production of the subject fabrics, and if they are opposed to the temporary duty suspension. I need this information in writing (email is fine). So,

1. Does Mount Vernon Mills produce HTS 5208.32.40.20 domestically?
2. Is Mount Vernon Mills opposed to the temporary duty suspension?

Thank you very much for your time. Please feel free to contact me with any questions.

Best wishes,  
Shannon

**Shannon L. Gaffney**  
International Trade Analyst  
Chemicals and Textiles Division  
U.S. International Trade Commission  
Phone: (202) 205-3316  
[Shannon.Gaffney@USITC.gov](mailto:Shannon.Gaffney@USITC.gov)

112TH CONGRESS  
2D SESSION

# H. R. 3972

To suspend temporarily the duty on certain woven fabrics of cotton.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2012

Mr. WATT introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on certain woven fabrics of cotton.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CERTAIN WOVEN FABRICS OF COTTON.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of  
5 the Harmonized Tariff Schedule of the United States is  
6 amended by inserting in numerical sequence the following  
7 new heading:

“	9902.01.00	Woven fabrics of cotton, containing 85 percent or more by weight of cotton, dyed, plain weave, weighing more than 100 g/m <sup>2</sup> , other, of numbers 43 to 68, poplin or broadelot (provided for in subheading 5208.32.40) .....	Free	No change	No change	On or before 12/31/2014	”.
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1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies to articles entered, or withdrawn  
3 from warehouse for consumption, on or after the 15th day  
4 after the date of the enactment of this Act.

○