

Public Version

June 12, 2017

Chairman
Committee for the Implementation of Textile Agreements
Room 30003
United States Department of Commerce
Washington, DC 20230.

Submitted via email to
OTEXA_Bahrain_FTA@trade.gov
Also via email to
Terry.Labat@trade.gov and Maria.D'Andrea-Yothers@trade.gov

Subject: Request for Public Comment on a Commercial Availability Request Under the
U.S.-Bahrain Free Trade Agreement

To Whom It May Concern:

I write on behalf of **Darlington Fabrics (a division of The Moore Company)**, a domestic U.S. manufacturer for knitted textiles, to oppose the petition filed by the Government of Bahrain, March 23, 2017, to initiate consultations under Article 3.2.3 of the USBFTA, as it relates to the ruler of origin for apparel of knitted fabric.

Specifically, I object to any modification of the Agreement that would permit the use of non-originating fabric of the following descriptions

Fabric 26: Knit pile, looped fabric, 90% polyester and 10% elastomeric suede, yarn count: Brushed P105xP50D+SP40D, weight 300 grams per meter squared (g/m2), width CW57", classified in subheading 6001.22 of the HTSUS;

Fabric 27: Knit fabric of polyester (85-97%) and elastomeric (5-15%), classified in subheading 6004.10 of the HTSUS;

Fabric 28: Knit fabric of polyester (45-60%), cotton (35-50%) and elastomeric (5-12%), classified in subheading 6004.10 of the HTSUS;

Fabric 29: Knit fabric of rayon (59-75%), nylon (20-37%), and elastomeric (0-10%), classified in subheading 6006.42 of the HTSUS; and

Fabric 35: Knit fabric of polyester (68-78%), rayon (19-29%), and elastomeric (0-8%), classified in subheading 6006.32 of the HTSUS

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Darlington Fabrics is a domestic U.S. manufacturer of knitted fabrics the subject of this request. Darlington Fabrics name currently produces XXXXXXXX linear yards of such fabric annually at our U.S. facilities in Westerly, Rhode Island. We have additional capacity to produce XXXXXXX linear yards annual. We are currently producing the subject fabric for use in apparel production in our free trade partner nations in CAFTA and NAFTA regions. At no time has Darlington Fabrics been approached with an attempt to source the subject fabric from the U.S. Had such a canvassing been done, Darlington Fabrics would have been identified as able and willing to supply the fabric.

Darlington Fabrics strongly objects to this request for the following reasons:

1. Darlington Fabrics is able and willing to supply the subject fabric, and
2. Bahrain agreed to the yarn forward rule and should live up to that agreement.
3. The expiration of the TPL, after ten years, is one of the provisions of the agreement. Bahrain had ten years, during that transition period, to build its own industry to supply these fabrics or establish business relations with U.S. textile manufacturers who made these fabrics. It appears that Bahrain did neither.
4. This list is so broad in scope as to place a huge number of fabrics made in the U.S. on an effective "short supply" list.
5. It would be unfair to the other 17 nations that are free trade partners with the U.S. under the terms of 11 agreements who, with only narrow, carefully carved out exceptions, operate under the yarn forward rule.
6. If granted, this request will prompt other current and future free trade partners to seek short supply status for the same fabrics.
7. Unlike the expired TPL, which was capped at 65 million square meters annually, the request is unlimited as to quantity, and, if approved, would create an incentive for Bahrain to increase production of apparel and home textile articles of third-country fabric.

Thank you for this opportunity to comment on this request which is of importance to Darlington Fabrics.

Respectfully,



Steven F. Perry
Sr. Vice President, Darlington Fabrics