

June 16, 2017

Ms. Lisa R. Barton
Secretary
U.S. International Trade Commission
500 E Street, Southwest
Washington, DC 20436

Dear Ms. Barton:

On behalf of the Footwear Distributors & Retailers of America (FDRA), the footwear industry's largest trade association, we write to express our strong concerns with comments that have been filed on behalf of a single company, Genfoot, against the majority of all footwear Miscellaneous Tariff Bill (MTB) petitions. It is our belief that many of these footwear petitions have been incorrectly placed in Category VI based on Genfoot's objections.

Genfoot filed complaints on 84 petitions, totaling 75 percent of the footwear petitions filed, with the apparent argument that "all" footwear is directly competitive with "all" footwear. For example, Genfoot argued that its protective winter boots directly compete with house slippers, women's under-the-ankle footwear like sandals, ski boots, women's closed toe and closed heel slip-on footwear, and footwear that is specifically designed for a sporting activity and either has spikes, sprigs, cleats, stops, clips, bars, etc. The boots used by Genfoot in its comments are clearly not interchangeable or competitive with these products, as evident by the description of the Rider boot on the company's website.¹

Though many of the Genfoot comments describe footwear that does not apply to the item requested in each petition, it is also unclear whether the items described by Genfoot are actually produced domestically. Genfoot, a Canadian-based company, highlights on its website that 73 percent of its products are produced *in North America*.² It does not specify the amount of production that occurs in Canada compared to the United States. The Yukon boot, listed as an example in a number of the comments, is advertised on the company's website as "Made In Canada with domestic and imported materials."³ In addition, the Chore boot cited by the company in several comments would be properly classified in 6401.92.90. Canada is the third-largest supplier of footwear under 6401.92.90 to the U.S. market, with 2,254,329 supplied in 2015 and 1,461,613 pairs supplied in 2016.⁴ We believe it is imperative for the Commission to confirm that the footwear highlighted by Genfoot in its objections is actually produced in the U.S.

¹ See description of the Rider Boot on Genfoot's website: "Coast your way through bad weather with Kamik's Rider warm boots for winter. There's no getting cold feet in these charcoal and black winter boots for men, so you can spend your day outside with confidence, whether you're going snowmobiling or ice fishing. Featuring seam-sealed waterproof construction to keep feet dry."

https://www.kamik.com/b2c_us_en/men/shoes/winter-2016-collection-men/rider.html#color=blk

² Source: https://www.kamik.com/b2c_us_en/aboutus/

³ Source: https://www.kamik.com/b2c_us_en/men/shoes/winter-2016-collection-men/yukonc.html#color=dbr

⁴ Source: U.S. International Trade Commission

Finally, several FDRA member companies with U.S. footwear manufacturing operations have filed MTB requests, and their domestic operations would benefit from duty relief through MTBs. Over the past year, FDRA has worked hard to ensure that the requests we filed would not face domestic opposition. This included numerous discussions with our members, careful review of the phase-out lists of sensitive items in prior and recently-negotiated U.S. trade agreements, and close consultations with the Rubber Plastic Footwear Manufacturing Association (RPFMA), which also represents domestic interests.

While FDRA would have sought MTB requests for significantly more products, since there is almost no domestic production for footwear in the United States, we only filed requests on items where we had received indication from RPFMA that there would be no domestic opposition. Given that this association represents Genfoot and assisted in the filing of the Genfoot comments, we were surprised to find that there were any objections to these footwear requests.

Footwear experts and consumers alike recognize that the footwear identified by Genfoot is not like or directly competitive with the footwear highlighted in these MTB requests. For the reasons described above, we ask that you reconsider the footwear items that have been placed in Category VI.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matt Priest". The signature is fluid and cursive, written over a light grey rectangular background.

Matt Priest
President & CEO
Footwear Distributors & Retailers of America (FDRA)