
Representing The Wiping Materials, Recycled Clothing, New Textile By Products and Fiber Industries



President's Column

Bill Schapiro

Travails of the Little Guys

My favorite quote from Pietra Rivoli's wonderful book, *The Travels of a Tee Shirt in the Global Economy*, says

"Here finally is a global industry for the little guy."

Well -- "the little guy" recently was shaken up by a very disappointing decision by U. S. Customs.

To review the current situation: U.S. Customs has said that clothing must be practically unwearable to be imported duty free into the United States under Harmonized Code Subheading #6309 ("Worn Clothing.")

What we fear by this ruling is not only the restriction of trade with our Canadian and other overseas associates who ship into the United States, but also that the countries to whom we export will adopt similar definitions of "worn" and raise duties on what we export.

When SMART's first request to relax interpretations of "appreciable wear" was rejected last March, we were told by U.S. Customs that we should submit photos, more samples, expert testimony, invoices showing the value of what we ship, and finally, show how "appreciable wear" is defined by the EEU.

SMART did all of this, and we added strong letters of support by Goodwill as well. (Please feel free to request a copy of what SMART submitted to Customs if you want to see the extensive work that went into this project.)

And so it was with much frustration that we received notification from U.S. Customs in late June that our motion to change Custom's interpretation was again rejected. It is small or no consolation that U.S. Customs did suggest that

we can import clothing, describe it as "used clothing," and pay the highest dutiable rate as though the clothing were new.

What was most frustrating about this decision is that U.S. Customs determined that none of the samples we submitted "after careful consideration show signs of considerable deterioration from their original state." In addition, U.S. Customs seemed to ignore the EEU's much less restrictive interpretations of "worn" and "appreciable wear."

All of this points out how essential it is that we "little guys" have an association like SMART. Through this great little association we will keep up this fight. Our next move is to lobby government to amend the harmonized tariff schedule and create a definition of "appreciable wear" that is actually descriptive of what we do. Again, feel free to ask us to e-mail you a copy of SMART's proposed bill.

Please support SMART in this next phase, whether it be a donation for the cause, or letters to your congressmen and senators.

The little guy is down but not out – by a long shot.
