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UNITED STATES TARIFF COMMISSION

**WOMEN'S DRESS SHOES:
WORKERS OF D'ANTONIO SHOE CORP., NEW YORK, N.Y.**

**Report to the President
Worker Investigation No. TEA-W-92
Under Section 301(c)(2) of the Trade Expansion Act of 1962**



**TC Publication 402
Washington, D. C.
July 1971**

UNITED STATES TARIFF COMMISSION

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Note.--The whole of the Commission's report to the President may not be made public since it contains certain information the publication of which would result in the disclosure of the operation of an individual firm. This published report is the same as the report to the President, except that the above-mentioned information has been omitted. Such omissions are indicated by asterisks.

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REPORT TO THE PRESIDENT

U.S. Tariff Commission,
July 6, 1971.

To the President:

In accordance with section 301(f)(1) of the Trade Expansion Act of 1962 (76 Stat. 885), the U.S. Tariff Commission herein reports the results of an investigation made under section 301(c)(2) of that act in response to a workers' petition for a determination of eligibility to apply for adjustment assistance.

The petition for this investigation was filed on May 7, 1971, by Mr. George O. Fecteau, general president, United Shoe Workers of America, AFL-CIO, CLC, on behalf of the former workers of D'Antonio Shoe Corp., New York, N.Y. The Commission instituted the investigation (TEA-W-92) on May 13, 1971, and gave public notice thereof in the Federal Register on May 19, 1971 (36 F.R. 9095). No public hearing was requested and none was held.

The purpose of the Commission's investigation was to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with women's dress shoes produced by the aforementioned firm are being imported into the United States in such increased quantities as to cause, **or** threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of that firm.

The information in this report was obtained principally from officials of D'Antonio Shoe Corp. and from the Commission's files.

Finding of the Commission

On the basis of its investigation, the Commission 1/ finds unanimously that articles like or directly competitive with women's dress shoes produced by D'Antonio Shoe Corp., New York, N.Y., are not, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, unemployment or underemployment of a significant number or proportion of the workers of such firm.

1/ Commissioner Young did not participate in the decision.

Views of Commissioners Sutton and Leonard

Our determination in the instant case is negative because the increase in imports of any footwear like or directly competitive with the women's dress shoes produced by D'Antonio Shoe Corp., New York, N.Y., is not in major part the result of concessions granted under trade agreements. Our reasoning in support of this determination is set forth in the separate statements of our views in the Commission's report on nonrubber footwear submitted to the President on January 15, 1971. 1/

1/ Nonrubber Footwear: Report to the President on Investigation
No. TEA-I-18 . . ., TC Publication 359, 1971, pp. 25-47.

Concurring Views of Commissioner Moore

My determination in this proceeding is in the negative, because I believe that increased imports of women's dress shoes were not the major factor causing the unemployment of the former workers at the D'Antonio Shoe Corp., New York, N.Y. The production of the D'Antonio Shoe Corp., where the petitioning workers were employed, consisted almost entirely of women's high-style leather dress shoes which sold in the retail price range of \$35 to \$45 a pair. As I have stated previously, the market in the higher price range of women's fashion footwear is very volatile and subject to rapid style changes. 1/ Imports supply only a fraction of the U.S. market in the price range of the footwear produced by D'Antonio; thus, import competition is less severe at this level than at the lower price levels.

Although an official of D'Antonio contended that imports were the principal cause of the plant's closing, it is clear from the evidence available, that D'Antonio was unable to compete profitably primarily against other domestic producers. It is noteworthy that another domestic company is now producing women's high-fashion leather footwear at the plant formerly occupied by D'Antonio.

In light of the foregoing, I conclude that while imports were one of the factors causing unemployment of workers at the D'Antonio Shoe Corp., such imports were not "the major factor" in causing unemployment, as required by the statute before an affirmative determination can be made. 2/

1/ Women's, Children's, and Infants' Footwear: Workers of . . . Kalmon Shoe Mfg. Co., St. Louis, Mo. . . . , TC Publication 369, March 1971, at 8.
2/ Section 301(c)(3) of the Trade Expansion Act of 1962.

INFORMATION OBTAINED IN THE INVESTIGATION

Description of Articles Under Investigation

In recent years the output of D'Antonio Shoe Corp. (hereinafter referred to as D'Antonio unless otherwise stated) has consisted of women's high-style dress shoes, 1/ virtually all of which had uppers of leather, made by the cement process. The company's production of such shoes was sold at retail prices ranging from \$35 to \$45 a pair.

The principal features of women's shoes that determine the activities for which a particular pair is suitable--and thus the trade designations such as "dress," "casual," and "slippers"--are the cut of the uppers, the style and height of the heels, the material used for the uppers, the kind of ornamentation, and the material and construction of the sole. In general or commercial usage, however, these descriptive terms for footwear may have various meanings. Some of them are specifically defined for tariff purposes in the headnotes (including the statistical headnotes) to part 1A of schedule 7 of the Tariff Schedules of the United States (TSUS). 2/

In terms of U.S. retail sales, so-called dress shoes (a term not defined in the TSUS) are more important than any other type of

1/ In this report, as in the Tariff Schedules of the United States, the terms "women" and "misses" are used to differentiate size categories of footwear, not age of wearer, as follows: "women" refers to American women's sizes 4 and larger, and "misses" refers to American misses' sizes 12-1/2 and larger but not as large as American women's size 4.

2/ Some of the definitions of descriptive terms for tariff purposes (e.g., "slippers" and "casuals"), however, apply to only a small portion of the footwear for which such terms are currently used in retail outlets; see U.S. Tariff Commission, Nonrubber Footwear: Report to the President on Investigation No. TEA-I-18 . . ., TC Publication 359, 1971, pp. A-2 to A-5.

footwear for women and misses. The term "dress shoes," originally limited only to shoes worn on formal occasions, is now used to describe footwear of the types generally worn for street wear and for business and social activities. Women's shoes intended for formal wear, which are also regarded here as dress shoes, are now frequently referred to as evening shoes, slippers, or sandals. Generally the term "dress shoes" does not refer to footwear especially made for athletic, occupational, and leisure activities.

For many years the principal type of dress shoe worn by women in the United States was the classic pump--a closed-toe, closed-back, slip-on shoe without fasteners, with lightweight soles, and with heels of 2 inches or higher. Depending upon fashion changes, dress shoes may be open- or closed-heeled shoes with straps, laces, or tongues over the instep and include high-heeled sandals with open toes, open heels, and uppers of narrow strips of leather or other material.

Women's lower heeled footwear for casual wear, not considered dress shoes, includes low-heeled sandals, wedge-heeled shoes, loafers, desert boots, moccasins, and sneakers.

The range of styles and quality of footwear increased greatly during the 1960's as a result of new materials, technological developments in production, and new fashions in wearing apparel. Simultaneously, consumer interest in this wide variety of footwear (as well as in clothing) also increased, reflecting the changing age

structure of the population, increasing per capita income, and a growth in time for leisure activities. Following these developments the distinction between dress and casual shoes and attire diminished.

The materials used for the uppers of dress shoes are usually finer (i.e., less sturdy), and the soles lighter in weight, than those of footwear intended for athletic and certain occupational and leisure uses. Uppers may be of calf, kid, or reptile leathers; of silk, rayon, linen, or metallic fabrics such as peau de soie, satin, brocade, or velvet; or of supported vinyls or other plastics. Soles are of leather or plastics.

For several decades the principal method of attaching the outsole to women's shoes has been the cement process, whereby the outsole (or midsole, if any) is affixed to the upper by an adhesive without sewing. An estimated 80 percent of total U.S. output of women's shoes in recent years (and probably an even higher percentage of the output of domestic dress shoes) has been made by the cement process. This process permits narrow edges on the outside to give a trim appearance and produces a lighter and more flexible shoe than other processes except the turn (or turned) process. In the turn process, which is currently used in very minor degree in the United States to produce dress shoes, 1/ the footwear is initially lasted inside out and then turned right side out for the finishing operations.

1/ The turn process has been used in the United States in recent years principally to produce footwear of the types reported in official U.S. production statistics as slippers for housewear (SIC product code 3142). Slippers are also produced by the cement process.

The great bulk of the imported women's dress shoes are entered under TSUS items 700.43 and 700.45; virtually all of the remainder, under items 700.20 and 700.55. As explained briefly in the following paragraphs, the footwear classifiable under these four TSUS items varies with respect to materials, method of construction, price line, and/or style.

Imported women's dress shoes with leather uppers are classified for duty purposes under TSUS items 700.43 and 700.45. Imports entered under TSUS item 700.43, which provides for leather footwear having a foreign (export) value of not over \$2.50 a pair, as well as those entered under item 700.45, which provides for leather footwear valued over \$2.50 a pair, consist predominantly of women's footwear in a wide range of styles, types, and prices. In terms of quantity, about half of the combined imports under these two items in recent years have consisted of women's sandals having a selling price at retail of about \$3 to \$9 a pair. The remainder probably consisted predominantly of women's cement-process dress shoes of moderate prices (i.e., in the retail price range of \$8 to \$20 a pair) but also included sturdy types with vulcanized or injection-molded soles, lightweight slippers suitable principally for housewear, and expensive high-fashion types that closely resemble footwear produced at the D'Antonio plant. Imported women's leather footwear made by the turn process and dutiable under TSUS item 700.20 does not

differ significantly in appearance or price from the leather dress shoes formerly made by the cement process in the plant here under review.

Women's footwear with supported vinyl uppers that has entered under TSUS item 700.55 in recent years has consisted predominantly of two groups of footwear: (1) Street shoes of sturdy construction, produced in a single width for each particular length, for sale mostly at \$3 to \$6 a pair at self-service counters in variety stores, discount stores, and department store basements and (2) folding slippers and sandals, usually selling at retail for less than \$2 a pair. It is believed that before 1970 only a negligible portion of the annual imports of women's dress shoes and boots admitted under item 700.55 retailed at more than \$10 a pair. It is estimated that in 1970, however, imports of such footwear retailing at more than \$10 a pair (mostly just over that price) totaled about 1 million pairs.

U.S. Tariff Treatment

In the Tariff Act of 1930, women's leather footwear of the type produced at D'Antonio was originally dutiable under paragraph 1530(e) at 20 percent ad valorem. Such footwear is provided for in the TSUS, which became effective on August 31, 1963, in items 700.43 and 700.45. The rate of duty was reduced for the first time, effective January 1, 1968, pursuant to concessions granted during the Kennedy Round of trade negotiations.

Supported vinyl was not used for uppers until the late 1940's or early 1950's. During the period before the TSUS became effective, footwear with supported vinyl uppers, which is now dutiable under TSUS item 700.55, was generally dutiable, by virtue of the similitude provisions of paragraph 1559, at a rate provided for "similar" leather footwear in paragraph 1530(e), principally 20 percent. In the TSUS a rate of 12.5 percent ad valorem was established for item 700.55 as the trade-agreement rate to replace the wide range of rates previously applicable to the various types of footwear provided for in this item.

Table 1 in the appendix shows the reductions in rates of duty resulting from trade-agreement concessions granted under the General Agreement on Tariffs and Trade (GATT) for footwear of the types now dutiable under items 700.20, 700.43, 700.45, and 700.55.

Table 2 shows U.S. imports of women's shoes admitted under the TSUS items mentioned above and the applicable rates of duty, in 1965-70.

U.S. Consumption, Production, and Imports

During the period 1965-70, total apparent annual U.S. consumption of all women's shoes (including dress and casual) rose from about 383 million pairs to 416 million pairs. As imports more than doubled during this period, their share of the market increased from 17 percent to 40 percent, as shown in the following table.

Nonrubber footwear for women: U.S. production, imports for
consumption, and apparent consumption, 1965-70

| Year | Pro- duction <u>1/</u> | Im- ports <u>2/</u> | Apparent consump- tion <u>3/</u> | Ratio of imports to apparent consumption |
|-----------|--------------------------------|--------------------------------|--|--|
| | <u>Million</u> <u>pairs</u> | <u>Million</u> <u>pairs</u> | <u>Million</u> <u>pairs</u> | <u>Percent</u> |
| 1965----- | 316 | 67 | 383 | 17 |
| 1966----- | 320 | 70 | 390 | 18 |
| 1967----- | 286 | 96 | 382 | 25 |
| 1968----- | 317 | 133 | 450 | 30 |
| 1969----- | 267 | 139 | 406 | 34 |
| 1970----- | 251 | 165 | 416 | 40 |

1/ Production represents the output for women and misses, industry No. 3141, as reported by the U.S. Bureau of the Census. In 1970, women's shoes accounted for 90 percent of the total output.

2/ Partly estimated from the official statistics for footwear of the kinds described in part 1A of schedule 7 of the TSUS except imports described in items 700.32, 700.51, 700.52, 700.53, and 700.60 and except zoris (very inexpensive thonged sandals of rubber or plastics), dutiable under item 700.55. Includes imports of misses' footwear, which have been negligible compared with those of women's.

3/ Apparent consumption represents U.S. production plus imports without an allowance for exports, which in 1970 amounted to about 1 million pairs.

Source: Compiled from official statistics of the U.S. Department of Commerce, except as noted.

U.S. imports of women's footwear entered under TSUS items 700.20, 700.43, 700.45, and 700.55, shown in table 2 in the appendix, in the aggregate accounted for 92 percent of the 1970 imports in the table above. Italy and Spain have been the principal suppliers of women's leather shoes (items 700.20, 700.43, and 700.45). Japan and the Republic of China (Taiwan) have been the principal suppliers of women's vinyl shoes (item 700.55).

Data on U.S. consumption of women's dress shoes are not reported in official statistics. It is estimated, however, that during 1965-70 total apparent annual U.S. consumption (production plus imports) of such shoes followed an irregular trend, rising from about 204 million pairs in 1965 to about 231 million in 1968 but declining to 197 million in 1970. Estimated domestic production of women's dress shoes during this period reached a peak of about 210 million pairs in 1968, and then declined to 165 million pairs in 1970. As imports rose from an estimated 4 million pairs in 1965 to 32 million pairs in 1970, the share of apparent annual U.S. consumption of women's dress shoes supplied by imports increased from 2 to 16 percent, as shown in the table below.

Dress shoes for women: U.S. production, imports for consumption, and apparent consumption, 1965-70

| Year | Production <u>1/</u> | Imports <u>2/</u> | Apparent consumption <u>3/</u> | Ratio of imports to apparent consumption |
|-----------|----------------------|----------------------|--------------------------------|--|
| | <u>Million pairs</u> | <u>Million pairs</u> | <u>Million pairs</u> | <u>Percent</u> |
| 1965----- | 200 | 4 | 204 | 2 |
| 1966----- | 206 | 7 | 213 | 3 |
| 1967----- | 188 | 11 | 199 | 6 |
| 1968----- | 210 | 21 | 231 | 9 |
| 1969----- | 177 | 28 | 205 | 14 |
| 1970----- | 165 | 32 | 197 | 16 |

1/ Dress shoes are believed to account for about 2/3 of the total annual output of nonrubber footwear for women.

2/ Data represent estimated imports of leather dress shoes entered under TSUS items 700.20, 700.43, and 700.45.

3/ Data represent estimated production plus estimated imports without an allowance for exports, which in 1970 amounted to less than 1 million pairs.

Source: Estimates of the U.S. Tariff Commission based on official statistics of the U.S. Department of Commerce.

The variation in annual consumption of women's dress shoes in recent years is explained by several factors but is attributable largely to changes in the mode of dressing discussed in the section of this report on description of articles under investigation. Thus, the use of loafers, sandals, clogs, desert boots, and other boots in lieu of dress shoes has increased.

Prices in the U.S. Market

Nonrubber footwear is often produced and marketed with a specific retail price in mind. A given shoe will be wholesaled at a price that will give the retailer a certain percentage markup if retailed at a projected price--for example, \$8 a pair. Conforming to this general practice, D'Antonio produced women's dress shoes in 1970 to retail principally in the price range of \$35 to \$45 a pair.

In the course of its recent investigation on nonrubber footwear, 1/ the Commission obtained, by questionnaire, data on prices from domestic producers. The percentage distribution of domestic producers' sales of nonrubber footwear for women and misses, by types and price ranges, is given for 1969 in the following table.

1/ Nonrubber Footwear: Report to the President on Investigation No. TEA-I-18 . . . , TC Publication 359, 1971.

Nonrubber footwear: Percentage distribution of U.S. producers' sales of footwear for women and misses, by types and price ranges, 1969

| Manufacturers' selling price per pair, f.o.b. plant or warehouse | Women's | | Misses' | Women's and misses' |
|--|---|-------|---------|---------------------|
| | Wedge heel, any height, or open toe, not over 1-inch heel | Other | | |
| Less than \$1.81---- | 1 | 2 | 5 | 2 |
| \$1.81 to \$2.40---- | 2 | 5 | 3 | 4 |
| \$2.41 to \$3.00---- | 4 | 3 | 5 | 4 |
| \$3.01 to \$4.20---- | 41 | 24 | 48 | 33 |
| \$4.21 to \$6.00---- | 29 | 13 | 16 | 17 |
| \$6.01 to \$7.80---- | 9 | 15 | 23 | 15 |
| \$7.81 to \$10.20---- | 5 | 28 | - | 17 |
| \$10.21 and over---- | 9 | 10 | - | 8 |
| Total----- | 100 | 100 | 100 | 100 |

Source: Compiled from data supplied by producers in connection with Tariff Commission investigation No. TEA-I-18.

As indicated in the table on manufacturers' selling prices, in 1969 more than 50 percent of U.S. manufacturers' sales of women's footwear (except with wedge heel or open toe and heel of not over 1 inch) were priced over \$6.00 a pair, and 10 percent had a wholesale price of \$10.21 a pair and over (approximately \$22 retail). In 1967 only 4 percent of manufacturers' sales were in this higher price range.

Of the estimated imports of 32 million pairs of women's dress shoes in 1970, about 2 million pairs, entered under TSUS item 700.20, had an average dutiable value of about \$7 a pair; 5 million pairs, entered under item 700.43, had an average dutiable value of about \$2 a pair; and an estimated 25 million pairs, under item 700.45, averaged about \$5 a pair.

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It is believed that the bulk of the imports of women's dress shoes were sold in the retail price range of \$8 to \$14 a pair; the remainder were sold principally in the retail price range of \$15 to \$20 a pair.

Data Relating to the D'Antonio Shoe Corp.

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STATISTICAL APPENDIX

Table 1.--U.S. rates of duty applicable to women's and misses' footwear of types provided for in specified TSUS items, July 1, 1934, and GATT concessions to Jan. 1, 1972

| TSUS item No. | Abbreviated description | Rate of duty | | |
|---------------------|--|---------------------------------------|---|---|
| | | July 1, 1934 ^{1/} | GATT concession ^{2/} | |
| | | | Rate | Effective date |
| | | | | |
| | | Percent ad val. | Percent ad val. | |
| | Leather footwear: | | | |
| 700.20 | Turn or turned----- | 10% ^{3/} | 5% | May 30, 1950-Dec. 31, 1967. |
| | | | 4% | Jan. 1, 1968-Dec. 31, 1969. |
| | | | 3% | Jan. 1, 1970-Dec. 31, 1971. |
| | | | 2.5% | Jan. 1, 1972. |
| | "Other" (including cement process) | | | |
| 700.43 | Valued not over \$2.50 per pair---- | 20% | 19% | Jan. 1-Dec. 31, 1968. |
| | | | 18% | Jan. 1-Dec. 31, 1969. |
| | | | 17% | Jan. 1-Dec. 31, 1970. |
| | | | 16% | Jan. 1-Dec. 31, 1971. |
| | | | 15% | Jan. 1, 1972. |
| 700.45 | Valued over \$2.50 per pair----- | 20% | 18% | Jan. 1-Dec. 31, 1968. |
| | | | 16% | Jan. 1-Dec. 31, 1969. |
| | | | 14% | Jan. 1-Dec. 31, 1970. |
| | | | 12% | Jan. 1-Dec. 31, 1971. |
| | | | 10% | Jan. 1, 1972. |
| 700.55 | Footwear having uppers of supported vinyl. | Princi- pally 20% ^{4/} | 12.5% ^{5/} 11% 10% 8.5% 7% 6% | Aug. 31, 1963-Dec. 31, 1967. Jan. 1-Dec. 31, 1968. Jan. 1-Dec. 31, 1969. Jan. 1-Dec. 31, 1970. Jan. 1-Dec. 31, 1971. Jan. 1, 1972. |

^{1/} Except as noted, the rate on July 1, 1934, was the same as the original rate in the Tariff Act of 1930, effective June 18, 1930.

^{2/} For concessions granted in the Kennedy Round, effective Jan. 1, 1968, the table shows staged rates scheduled to become effective up to and including Jan. 1, 1972.

^{3/} Effective Jan. 1, 1932, the statutory rate of 20 percent ad valorem was reduced to 10 percent ad valorem, pursuant to sec. 336 of the Tariff Act of 1930.

^{4/} Supported vinyl was not used for shoe uppers until the late 1940's or early 1950's. When footwear with supported vinyl uppers was imported during the 1950's and early 1960's, it was generally dutiable, by virtue of the similitude provisions of par. 1559, at the rate provided for "similar" leather footwear in par. 1530(e).

^{5/} The trade-agreement rate established in the TSUS, effective Aug. 31, 1963, under authority of the Tariff Classification Act of 1962 (Public Law 87-456) to replace the wide range of rates previously applicable to the various types of footwear provided for in this TSUS item.

Note.--The GATT concession rates are applicable to the products of all countries except those designated as Communist in General Headnote 3(e) of the TSUS; i.e., they are column 1 rates. Products of Communist countries are dutiable at column 2 rates, which for the TSUS items listed above except item 700.55 are the same as the rates shown for July 1, 1934. For item 700.55, the column 2 rate is 35 percent. That rate replaces the wide range of rates applicable in 1934 to the various types of footwear provided for in item 700.55.

Table 2.--Nonrubber footwear for women and misses: U.S. rates of duty and imports for consumption, by specified TSUS items, 1965-70

| Year | Footwear of leather | | | |
|--|----------------------------|------------------|--|------------------|
| | Turn or turned (700.20) | | "Other" leather footwear (700.43 and 700.45) 1/ | |
| | Tariff rate | Quantity | Tariff rate | Quantity |
| | Percent ad val. | Million pairs | Percent ad val. | Million pairs |
| 1965----- | 5 | 1 | 20 | 21 |
| 1966----- | 5 | 1 | 20 | 28 |
| 1967----- | 5 | 1 | 20 | 38 |
| 1968----- | 4 | 2 | 19 | 34 |
| | | (| 18 | 20 |
| 1969----- | 4 | 2 | 18 | 29 |
| | | (| 16 | 27 |
| 1970----- | 3 | 2 | 17 | 37 |
| | | (| 14 | 35 |
| Footwear with uppers of supported vinyl (700.55) | | | | |
| | Tariff rate | | Quantity | |
| | Percent ad val. | | Million pairs | |
| 1965----- | 12.5 | | 35 | |
| 1966----- | 12.5 | | 33 | |
| 1967----- | 12.5 | | 50 | |
| 1968----- | 11 | | 69 | |
| 1969----- | 10 | | 71 | |
| 1970----- | 8.5 | | 77 | |

1/ Before Jan. 1, 1968, in TSUS item 700.40.

Source: Compiled from official statistics of the U.S. Department of Commerce.

