



## NOTICE OF COMMENCEMENT OF EXCLUSIONS INQUIRY

### CERTAIN STEEL GOODS

On May 9, 2019, by the *Order Referring to the Canadian International Trade Tribunal, for Inquiry into and Reporting on, the Matter of the Exclusion of Certain Steel Goods from the Order Imposing a Surtax on the Importation of Certain Steel Goods (Exclusions Inquiry Order)*, the Canadian International Trade Tribunal was directed by Her Excellency the Governor in Council, on the recommendation of the Minister of Finance, to conduct an inquiry regarding exclusion requests concerning certain heavy plate and stainless steel wire (as described more fully in Appendix A) which are subject to safeguard measures enacted in the *Order Imposing a Surtax on the Importation of Certain Steel Goods*. Subject countries are all countries except the United States, Mexico, Chile, Israel, Korea, Colombia, Honduras, Panama, Peru and all countries benefitting from the *General Preferential Tariff* (GPT, as listed in Appendix B).

In carrying out its mandate, the Tribunal is to determine if there is at least one domestic source of supply for such goods, or if there is a firm and commercially viable plan to produce such goods domestically. If the Tribunal determines that there is no domestic source of supply or firm and commercially viable plan to produce such goods domestically, the Tribunal will, in accordance with the direction provided in the *Exclusions Inquiry Order*, recommend the exclusion of the goods from the application of safeguard measures. The Tribunal must report to the Minister of Finance by July 15, 2019.

#### Inquiry Schedule

May 16, 2019	Notice of commencement of inquiry / Exclusion request and response forms posted
May 27, 2019	Notices of participation, declarations and undertakings due
June 7, 2019, by noon	Exclusion requests due
June 19, 2019, by noon	Responses to exclusion requests due
July 15, 2019	Tribunal decision / Report to the Minister of Finance

#### Exclusion requests

The Tribunal has posted on its Web site, at [www.citt-tcce.gc.ca/en/forms](http://www.citt-tcce.gc.ca/en/forms), forms for (1) exclusion requests and (2) responses from the domestic industry. The range of information being requested in these forms will increase the totality of the evidence on the record and should not necessarily be interpreted as an indication of how the Tribunal will interpret the terms of the *Exclusions Inquiry Order*.

The relevant forms must be filed with the Tribunal in accordance with the above Schedule. Each counsel who intends to represent a party in the inquiry must file a declaration and undertaking with the Tribunal.

These deadlines must be strictly observed, and filings submitted after the deadline will only be accepted in demonstrably extraordinary circumstances and with leave of the Tribunal.

Although the Tribunal does not plan to hold public hearings regarding these requests and responses, it reserves the right to do so in exceptional circumstances.

In light of the limited time frame provided to the Tribunal to conduct this inquiry and of the large number of parties and volume of documents that the Tribunal anticipates it will have before it, parties and counsel should make every effort to file concise submissions and include only those supporting materials that are relevant to and probative of the matters at issue. Parties may want to consult the Tribunal's *Guideline to Making Requests for Product Exclusions* as an indication of the approach that is generally adopted by the Tribunal in terms of both burden of proof and evidentiary requirements.

**Requests and responses shall be subject to a limit of 55 pages (including relevant forms and any attachments thereto).** These parameters will be strictly enforced. The Tribunal will disregard any pages that exceed this limit.

Submissions shall respect the following requirements:

- Page size: 21.5 cm by 28 cm / 8.5 by 11 inches (letter size)
- Font: Times New Roman font size 12 or a comparable font and font size for all text, including quotations from authorities; Times New Roman font size 11 or a comparable font and font size for footnotes.
- Line spacing: At least one and one half lines apart, except for block quotations, which must be indented and single-spaced. Footnotes shall be single-spaced.
- Margins (top, bottom, left and right): Not less than 2.5 cm / 1 inch.

### **Confidentiality**

In accordance with section 46 of the *Canadian International Trade Tribunal Act*, a person who provides information to the Tribunal and who wishes some or all of the information to be kept confidential must submit to the Tribunal, at the time the information is provided, a statement designating the information as confidential, together with an explanation as to why that information is designated as confidential. The person must also submit either a non-confidential summary of the information designated as confidential, or a statement indicating why such a summary cannot be provided.

### **Correspondence**

Correspondence and questions regarding this notice should be addressed to the Registrar, Canadian International Trade Tribunal Secretariat, 15th Floor, 333 Laurier Avenue West, Ottawa, Ontario K1A 0G7, 613-993-3595 (telephone) or 1-855-307-2488 (North America toll-free) or [citt-tcce@tribunal.gc.ca](mailto:citt-tcce@tribunal.gc.ca) (e-mail).

Communication with the Tribunal may be in English or in French.

**General**

The *Canadian International Trade Tribunal Rules* will be followed in this inquiry, as varied or supplemented by the Tribunal.

Dated at Ottawa, Ontario  
this 16<sup>th</sup> day of May 2019

## Appendix A

### DESCRIPTION OF THE SUBJECT GOODS

<b>Class of Goods</b>	<b>Description</b>
Heavy Plate	Hot-rolled carbon steel plate and high-strength low-alloy steel plate not further manufactured than hot-rolled, heat-treated or not, in widths from 80 inches ( $\pm 2,030$ mm) to 152 inches ( $\pm 3,860$ mm), and thicknesses from 0.375 inches ( $\pm 9.525$ mm) to 4.0 inches (101.6 mm), with all dimensions being plus or minus allowable tolerances contained in the applicable standards. For greater certainty, these dimensional restrictions apply to steel plate, which contains alloys greater than required by recognized industry standards provided that the steel does not meet recognized industry standards for an alloy-specification steel plate. The following goods are excluded: <ul style="list-style-type: none"> <li>• all plate in coil form, and</li> <li>• all plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate).</li> </ul>
	<b>HS Codes</b>
	7208.51.00.10; 7208.51.00.93; 7208.51.00.94; 7208.51.00.95; 7208.52.00.10; 7208.52.00.93; 7208.52.00.96
<b>Class of Goods</b>	<b>Description</b>
Stainless Steel Wire	Cold drawn and cold drawn and annealed, stainless steel round wire, up to 0.256 inches (6.50 mm) in maximum solid cross-sectional dimension; and cold drawn, and cold drawn and annealed, stainless steel cold-rolled profile wire, up to 0.031 square inches (0.787 sq. mm) in maximum solid cross-sectional area.
	<b>HS Codes</b>
	7223.00.00.10; 7223.00.00.20

## Appendix B

### COUNTRIES BENEFITTING FROM THE GENERAL PREFERENTIAL TARIFF

Afghanistan	Gambia	Paraguay
Angola	Georgia	Philippines
Anguilla	Ghana	Pitcairn
Armenia	Guatemala	Rwanda
Ascension Island	Guinea	Saint Helena and Dependencies
Bangladesh	Guinea-Bissau	Samoa
Belize	Guyana	Sao Tome and Principe
Benin	Haiti	Senegal
Bhutan	Honduras	Sierra Leone
Bolivia	Iraq	Solomon Islands
British Indian Ocean Territory	Kenya	Somalia
Burkina Faso	Kiribati	South Sudan
Burma	Kyrgyzstan	Sri Lanka
Burundi	Laos	Sudan
Cambodia	Lesotho	Swaziland
Cameroon	Liberia	Syria
Canary Islands	Madagascar	Tajikistan
Cape Verde	Malawi	Tanzania
Central African Republic	Mali	Timor-Leste
Ceuta and Melilla	Marshall Islands	Togo

Chad	Mauritania	Tokelau Islands
Christmas Island	Micronesia	Tonga
Cocos Islands (Keeling)	Moldova	Tristan Da Cunha
Comoros	Mongolia	Turkmenistan
Congo	Montserrat	Tuvalu
Cook Islands	Morocco	Uganda
Côte d'Ivoire	Mozambique	Ukraine
Democratic Republic of Congo	Nauru	Uzbekistan
Djibouti	Nepal	Vanuatu
Egypt	Nicaragua	Vietnam
El Salvador	Niger	Virgin Islands, British
Eritrea	Nigeria	Yemen
Ethiopia	Niue	Zambia
Falkland Islands	Norfolk Island	Zimbabwe
Fiji	Pakistan	
French Southern and Antarctic Territories	Papua New Guinea	

Source: <https://www.cbsa-asfc.gc.ca/trade-commerce/tariff-tarif/2019/html/countries-pays-eng.html>