

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL



TRIBUNAL CANADIEN
DU COMMERCE
EXTÉRIEUR

TEXTILE REFERENCE

ANNUAL STATUS REPORT

**OCTOBER 1, 2000
TO
SEPTEMBER 30, 2001**



February 20, 2002

The Honourable Paul M. Martin, P.C., M.P.
Minister of Finance
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister:

I am pleased to transmit to you, as requested in your letter dated August 19, 1999, the Annual Status Report of the Canadian International Trade Tribunal reporting on the Tribunal's inquiry process concerning requests for tariff relief on imported textile inputs for production. This report contains data for the period from October 1, 2000, to September 30, 2001.

Yours sincerely,

Pierre Gosselin

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INTRODUCTION

On July 6, 1994, the Minister of Finance (the Minister) asked the Canadian International Trade Tribunal (the Tribunal) to conduct investigations into requests from Canadian producers for tariff relief on imported textile inputs used in their manufacturing operations and to make recommendations, based on these requests, that would maximize net economic gains for Canada. Since then, there have been four minor modifications to the terms of reference.¹

This report describes the highlights of the textile tariff relief program during the period from October 1, 2000, to September 30, 2001, followed by a more detailed description of the activities undertaken by the Tribunal. The appendices contain a general description of the tariff relief program (Appendix I), as well as a statistical overview of requests received, investigations completed and in progress as of September 30, 2001, and tariff relief recommendations currently in place.

HIGHLIGHTS

During the period covered by this report, the Tribunal received seven requests for tariff relief, while six requests were received for the comparable period in 1999-2000.

During the year, six investigations were completed, covering seven requests. In all cases, the Tribunal concluded that granting tariff relief would maximize net economic gains for Canada and, consequently, recommended that tariff relief be granted for an indeterminate period.

The Textile Reference provided tariff relief valued at approximately \$24 million in 2000-2001, covering imports of textile inputs worth about \$183 million. The removal of these duties has allowed Canadian textile-using producers to enhance their competitiveness.

On August 13, 2001, the Department of Finance informed stakeholders that it considered that the terms of reference governing the Tribunal's standing textile reference might benefit from certain clarifications to reinforce the original policy intent. Parties were invited to comment on the proposal. The Minister has not yet published the results of these consultations.

NEW REQUESTS

During the period covered by this report, the Tribunal received seven requests for tariff relief.

Forty-three percent of all the requests for tariff relief received in 2000-2001 originated with producers in the apparel industry. The balance of the new requests came from the adhesive tape, sleeping bag and awning industries. The apparel industry has consistently been the largest user of the program since its inception in 1994, accounting for 69 percent of all requests to date. The furniture industry and the textile

1. On March 20, 1996, following consultations with industry officials and after having reviewed the Tribunal's first annual status report, the Minister revised the terms governing the textile reference. On July 24, 1996, the Minister further revised the terms of reference by removing certain knitting yarns from the purview of the textile reference. On November 26, 1997, the Minister modified the terms of reference to remove the possibility of company-specific relief in future requests for tariff relief, except with respect to requests for relief on textile inputs used in the manufacture of women's swimsuits, co-ordinated beachwear and co-ordinated accessories. Finally, on August 19, 1999, the Minister further modified the terms of reference (see Appendix II) to continue, until at least July 1, 2002, the removal of certain knitting yarns from the purview of the reference and to replace the *GATT 1994 Agreement* with the *World Trade Organization Agreement* as one of the agreements that the Tribunal should bear in mind when assessing the effect of tariff and non-tariff liberalization on domestic textile and downstream producers.

industry have each filed about 6 and 5 percent of all requests to date, respectively. Less frequent users have included a diverse group of industries, including, among others, those that manufacture footwear, tents and rope.

The majority of the requests for tariff relief received during 2000-2001 originated in Ontario, with Quebec being a close second.

While requests for tariff relief have covered a fairly broad spectrum of the textile inputs specified in the Minister's reference, all the requests received during 2000-2001 were for tariff relief on fabrics, as opposed to other textile inputs. This generally follows the pattern that has emerged since the implementation of the program. Since the majority of firms requesting tariff relief are engaged in the manufacture of apparel, the majority of the requests for tariff relief have involved fabrics, rather than yarns or other textile inputs.

The terms of reference limit the application of the textile program to certain chapters of the *Customs Tariff*.² During 2000-2001, all requests pertained to textile inputs contained in Chapters 51 ("Wool, fine or coarse animal hair; horsehair yarn and woven fabric"); 52 ("Cotton"); 54 ("Man-made filaments"); and 55 ("Man-made staple fibres").

Appendices III to VI provide details of the requests by industry sector, geographic distribution, type of input and distribution by *Customs Tariff* chapter respectively.

As of September 30, 2001, there were two investigations in progress (covering two requests) and two requests were awaiting commencement of investigation. Overall, during the year, six investigations were completed covering seven requests. In all these requests, the Tribunal concluded that granting tariff relief would maximize net economic gains for Canada and, consequently, recommended that tariff relief be granted for an indeterminate period. In total, seven reports to the Minister were issued during the period.

2. R.S.C. 1985 (3d Supp.), c. 41.

Table 1 provides a summary of these activities.

TABLE 1						
SUMMARY OF ACTIVITIES: NEW REQUESTS						
	2000-2001	1999-2000	1998-99	1997-98	1996-97	1995-96
Requests						
Received	7	6	18	18	17	20
For Which Investigations Were Completed	7	6	17	9	17	59
For Which Investigations Were in Progress at Year End	2	2	4	13	4	9
Terminated/Withdrawn	0	2	14	1	2	7
Awaiting Commencement of Investigation	2	2	2	6	7	4
Investigations¹						
Commenced	6	4	10	14	8	19
Completed	6	6	13	8	11	29
In Progress at Year End	2	2	4	10	4	7
Terminated	0	0	3	0	0	1
Recommendations to Minister						
Tariff Relief	8 ⁴	6	16	7 ³	15 ²	22
No Tariff Relief	<u>0</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>38</u>
	8	6	17	9	18	60
Reports to Minister⁵	7	6	13	5	11	27
Cumulative Totals (since 1994)						
Requests Received	159	152	146	128	110	93
Investigations	126	119	113	96	87	70
Recommendations to Minister						
Tariff Relief	81 ⁴	74	68	52 ³	45 ²	31
No Tariff Relief	45	45	45	44	42	39
Reports to Minister ⁵	78	71	65	52	47	36
<ol style="list-style-type: none"> 1. May cover more than one request. 2. The recommendation with regard to Request No. TR-94-002A, which re-affirmed a recommendation for tariff relief previously made by the Tribunal in 1994-95 in Request No. TR-94-002, is included in this total. Therefore, although 59 requests were investigated during the year, the Tribunal issued 60 recommendations to the Minister, contained in 27 reports. 3. The recommendation with regard to Request No. TR-95-056A, which was that an additional tariff item be added to Code 4402 (which implemented a Tribunal recommendation previously made in Request No. TR-95-056), is included in this total. Therefore, although 17 requests were investigated during the year, the Tribunal issued 18 recommendations to the Minister, contained in 11 reports. 4. The recommendation with regard to Request No. TR-99-003A, which re-affirmed the Tribunal's recommendation made in Request No. TR-99-003, is included in this total. 5. May cover more than one investigation. 						

As of September 30, 2001, 78 of the 81 requests for which the Tribunal recommended that tariff relief be granted had been implemented by order of the Governor in Council, on the recommendation of the Minister, pursuant to paragraph 68(1)(a) of the *Customs Tariff*, and a further two recommendations were under consideration by the Minister.

A total of 10 recommendations were implemented during 2000-2001. On average, it took more time for the Tribunal's recommendations to be implemented during this year than it did last year (203 days in 2000-2001 compared to 100 days in 1999-2000). Excluding two of the recommendations, which each took over a year to implement, the average implementation period is reduced to 132 days, more in line with past years' experience.

The level of activity within the Tribunal regarding the investigation of requests for tariff relief was, in 2000-2001, about equal to the previous year, and approximately 3 percent of the Tribunal's human resources were committed to the program.

REVIEWS

No expiry or review investigations were undertaken in 2000-2001.

RECONSIDERATION OF A RECOMMENDATION

As reported last year, the Tribunal reconsidered the recommendation that it made in Request No. TR-99-003, collected supplementary information and, subsequently, issued revised pricing data. All parties to the investigation were given the opportunity to comment on the new evidence. After considering the submissions of all parties to the investigation, the Tribunal, on October 6, 2000, re-affirmed its original recommendation.

EFFECTS OF THE PROGRAM

By the end of September 2001, the government had added 160³ new tariff items to implement Tribunal recommendations. These tariff items covered imports worth \$183 million during 2000-2001 and provided tariff relief worth approximately \$24 million.⁴ Table 2 provides a year-to-year comparison of imports benefiting from tariff relief.

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3. Up to December 31, 1997, the government implemented Tribunal recommendations by adding specific codes to the *Customs Duties Reduction or Removal Order, 1988* made by Order in Council P.C. 1987-2738 dated December 31, 1987. As of January 1, 1998, these codes have all been replaced by new tariff items, and new implementations have been made by adding new tariff items to the *Customs Tariff*.
 4. Estimates based on 2000 or 2001 MFN rates, as applicable.

TABLE 2
IMPORTS BENEFITING FROM TARIFF RELIEF
FURTHER TO TRIBUNAL RECOMMENDATIONS

(October 1 – September 30)

	2000-2001	1999-2000	1998-99	1997-98	1996-97	1995-96
Number of Codes	-	-	-	44	44	21
Number of Tariff Items	160	151	134	93	-	-
Total Imports (\$millions)	183.0	172.3	158	186.5	139.2	22.4
Estimated Tariff Relief (\$millions)	24	23	21	25	19	3

Source: Statistics Canada.

During 2000-2001, imports benefiting from tariff relief provided by these tariff items represented 0.76 percent of all imports (\$24.1 billion) reported during the year by Statistics Canada and classified in Chapters 39, 40, 51 to 56, 58 to 60 and 70 of the *Customs Tariff*. Details on these benefits, by chapter of the *Customs Tariff*, are presented in Appendix VII.

Tariff relief principally affected textile inputs falling in five chapters of the *Customs Tariff*: Chapter 51 (“Wool, fine or coarse animal hair; horsehair yarn and woven fabric”); Chapter 52 (“Cotton”); Chapter 53 (“Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn”); Chapter 54 (“Man-made filaments”); and Chapter 55 (“Man-made staple fibres”). The percentage of total imports accounted by the imports benefiting from tariff relief, for these chapters, ranged from 3.3 to 7.7 percent.

Tariff relief recommendations are also implemented by the government through the issuance of remission orders. As of September 30, 2001, two remission orders were in place: P.C. 1997-1668 (Les Collections Shan Inc.); and P.C. 1998-1118 (Alpine Joe Sportswear Ltd.). Over the years, remission orders have provided additional tariff relief worth approximately \$1.2 million in 1995-96, \$100,000 in 1996-97, \$120,000 in 1997-98, \$93,000 in 1998-99, \$139,000 in 1999-2000, and \$89,000 in 2000-2001.

The intent of the tariff relief program is to remove the burden of duties from imported textile inputs that are used in the manufacturing operations of Canadian producers, where it has been determined that this would be in the best economic interest of Canada. In its seven years of existence, the program has provided tariff relief worth more than \$116 million. The removal of these duties has allowed Canadian producers to reduce their production costs. In turn, this has assisted these producers in enhancing their competitiveness.

LENGTH OF INVESTIGATIONS

As specified in the terms of reference, the Tribunal’s recommendations should be made within 120 days from the date of receipt of a properly documented request or within any earlier specified time frame, which the Tribunal determines to be appropriate, in cases of critical circumstances, after receipt of a properly documented request. In practice, the 120-day period starts with the issuance of the notice of commencement of investigation and ends with the distribution of the Tribunal’s report.

In 2000-2001, it took, on average, 96 days to conduct a tariff relief investigation. This compares to 189 days in 1999-2000, 137 days in 1998-99 and 158 days in 1997-98. However, the 2000-2001 period was

not typical, as four of the seven requests investigated were unopposed and, consequently, were subject to very short investigations, one lasting only 65 days (Request No. TR-2000-003).

TRAINING

The Tribunal provides its members and staff with continuous in-house training seminars on a variety of topics relevant to their responsibilities. During the year, three members of the Tribunal visited the operations of Consoltex (Alexandria, Ontario) and AstenJohnson (Kanata, Ontario). These visits were organized by the Textiles Human Resources Council.

PUBLIC HEARING

During the year, no public hearing was held, and all investigations were handled by way of written submissions.

APPENDIX I

THE PROGRAM

Under its terms of reference, the Tribunal is mandated to investigate requests from domestic producers for tariff relief on imported textile inputs for use in their manufacturing operations and to make recommendations in respect of those requests to the Minister.

Scope of the Reference

A domestic producer may apply for tariff relief on an imported textile input used, or proposed to be used, for production. The textile inputs for which tariff relief may be requested are the fibres, yarns and fabrics of Chapter 51, 52, 53, 54, 55, 56, 58, 59 or 60; certain monofilaments or strips and textile and plastic combinations of Chapter 39; rubber thread and textile and rubber combinations of Chapter 40; and products of textile glass fibres of Chapter 70 of the schedule to the *Customs Tariff*. However, since July 24, 1996, and at least until July 1, 2002, some yarns are not included in the textile reference.⁵

Types of Relief Available

The tariff relief that may be recommended by the Tribunal to the Minister ranges from the removal or reduction of tariffs on one or several, partial or complete, tariff lines, textile- and/or end-use-specific tariff provisions. In the case of requests for tariff relief on textile inputs used in the manufacture of women's swimsuits, co-ordinated beachwear and co-ordinated accessories only, the recommendation could include company-specific relief. The recommendation could be for tariff relief for either a specific or an indeterminate period of time. The Tribunal will only recommend tariff relief that is administrable on a cost-effective basis.

What Constitutes a Request

A properly documented request shall contain all the information requested in the *Textile Reference Guide* questionnaire, including, for the public record, the reasons for the request, a description of the textile input and its end use, the specific tariff relief sought, experience with sourcing domestic identical or substitutable textile inputs and anticipated benefits from the requested tariff relief. Confidential information in respect of such things as price comparisons between the imported textile input and domestic identical or substitutable textile inputs, and various production, import, export and cost data are also required. Samples of the textile input must accompany the request unless the requester has previously obtained an NCR for the textile input from the CCRA.

Notification of a Request

Upon receipt of a request for tariff relief, and before commencement of an investigation, the Tribunal issues a brief electronic notice announcing the request. The minimum period of time for the notification of a request before an investigation is commenced is 30 days.

5. Knitting yarns, solely of cotton or solely of cotton and polyester staple fibres, measuring more than 190 decitex, of Chapter 52 or subheading No. 5509.53 other than those used to make sweaters, having a horizontal self-starting finished edge and the outer surfaces of which are constructed essentially with 9 or fewer stitches per 2 centimetres (12 or fewer stitches per inch) measured in the horizontal direction.

This notification is designed to:

- increase transparency;
- identify potential deficiencies in the request;
- avoid unnecessary investigations;
- provide an opportunity for the domestic textile industry to contact the requester and agree on a reasonable domestic source of supply;
- inform other users of identical or substitutable textile inputs;
- prepare the domestic industry to respond to subsequent investigation questionnaires; and
- give associations advance time for planning and consultation with their members.

Investigations

When the Tribunal is satisfied that a request is properly documented, it commences an investigation. A notice of commencement of investigation is sent to the requester, all known interested parties and any appropriate government department or agency, such as the CCRA, the Department of Foreign Affairs and International Trade, the Department of Industry and the Department of Finance. The notice is also published in the *Canada Gazette*.

In any investigation, interested parties include domestic producers, certain associations and other persons who are entitled to be heard by the Tribunal because their rights or pecuniary interests may be affected by the Tribunal's recommendations. Interested parties are given notice of the request and can participate in the investigation. Interested parties include competitors of the requester, suppliers of goods that are identical to or substitutable for the imported textile input and downstream users of goods produced from the textile input.

To prepare a staff investigation report, the Tribunal staff gathers information through such means as plant visits and questionnaires. Information is obtained from the requester and interested parties, such as other users and potential domestic suppliers of the textile input, for the purpose of determining whether the tariff relief sought will maximize net economic gains for Canada.

In normal circumstances, a public hearing is not required, and the Tribunal will dispose of the matter on the basis of the full written record, including the request, the staff investigation report and all submissions and evidence filed with the Tribunal.

The procedures developed for the conduct of the Tribunal's investigations envisage the full participation of the requester and all interested parties. A party, other than the requester, may file submissions, including evidence, in response to the properly documented request, the staff investigation report and any information provided by a government department or agency. The requester may subsequently file submissions with the Tribunal in response to the staff investigation report and any information provided by a government department or agency or other party.

Where confidential information is provided to the Tribunal, such information falls within the protection of the *Canadian International Trade Tribunal Act*.⁶ Accordingly, the Tribunal will only distribute confidential information to independent counsel who are acting on behalf of a party and who have filed a declaration and undertaking to protect the confidentiality of any information received.

6. R.S.C. 1985 (4th Supp.), c. 47.

Recommendations to the Minister

The Tribunal will normally issue its recommendations, with reasons, to the Minister within 120 days from the date of commencement of the investigation. In exceptional cases, where the Tribunal determines that critical circumstances exist, the Tribunal will issue its recommendations within such earlier specified time frame as the Tribunal determines to be appropriate. The Tribunal will recommend the reduction or removal of customs duties on a textile input where it will maximize net economic gains for Canada.

Review Process

Where the Minister has made an order for tariff relief pursuant to a recommendation of the Tribunal, certain domestic producers may make a request to the Tribunal to commence an investigation for the purpose of recommending the renewal, amendment or termination of the order. A request for amendment or termination should specify what changed circumstances justify such a request.

APPENDIX II**TRANSMITTAL LETTER REVISING TERMS OF REFERENCE**

August 19, 1999

Mr. Pierre Gosselin
Chairman
Canadian International Trade Tribunal
17th Floor, Standard Life Centre
333 Laurier Avenue, West
Ottawa, Ontario
K1A 0G7

Dear Mr. Gosselin:

I am writing further to my letters of July 6, 1994, March 20, 1996, July 24, 1996, and November 26, 1997, establishing the terms of reference for the Tribunal to follow in conducting, under section 19 of the *Canadian International Trade Tribunal Act*, investigations into requests from Canadian producers for tariff relief on imported textile inputs that they use in their manufacturing operations.

I am directing the Tribunal, when initiating new investigations on requests for tariff relief on imported textile inputs, within the rules of procedures developed for this reference, to:

- a) examine any properly documented request that it receives from a domestic producer for tariff relief on any of the following textile inputs used in its downstream manufacturing activities: fibres, yarns¹ and fabrics of Chapters 51, 52, 53, 54, 55, 56, 58, 59, or 60 of the *Customs Tariff*; certain monofilaments or strips and textile and plastic combinations of Chapter 39; rubber thread and textile and rubber combinations of Chapter 40; and, products of textile glass fibres of Chapter 70;
- b) conduct open and transparent investigations of these requests, ensuring that reasonable steps are taken to advise interested parties of any properly documented request for tariff relief and that all parties that have indicated an intention to participate in an investigation have the opportunity to make their views known, through written submissions or public hearings, as the Tribunal may determine to be necessary;
- c) assess the economic impact on domestic textile and downstream producers (on a commercial cost/benefit basis) of reducing or removing the tariff; and,
- d) make recommendations:
 - with reasons described as transparently as possible, while respecting the confidentiality of commercially-sensitive business information, on the appropriateness of reducing or removing the tariff;

1. Knitting yarns, solely of cotton or solely of cotton and polyester staple fibres, measuring more than 190 decitex, of Chapter 52 or subheading No. 5509.53 other than those used to make sweaters, having a horizontal self-starting finished edge and the outer surfaces of which are constructed essentially with 9 or fewer stitches per 2 centimetres (12 or fewer stitches per inch) measured in the horizontal direction, are not included in the textile tariff reference, at least until July 1, 2002.

- which are administrable on a cost effective basis and which could include textile input, time and/or “end-use” specific tariff provisions and, in the case of requests for tariff relief on textile inputs used in the manufacture of women’s swimsuits, co-ordinated beachwear and co-ordinated accessories only, could include company-specific relief;
- specifying whether relief should be granted for a specific or indeterminate period, which could include elements such as duration and initiation procedures - who and when - for renewal, extension or amendment investigations, as circumstances warrant. (Where indeterminate relief is recommended, the Tribunal should establish a framework under which the recommendation would be reconsidered, if the circumstances that led to the initial recommendations have changed sufficiently to warrant such an investigation, including who may apply and when);
- which should not cover goods beyond those established at the initiation of the investigation, except where sufficient notice is given for interested parties to respond;
- which should be consistent with Canada’s international rights and obligations under its bilateral and multilateral trade agreements; and,
- which, ultimately, should maximize net economic gains to Canada.

In performing its economic impact assessments, the Tribunal is directed to take into account all relevant economic factors, including, where appropriate:

- a) the extent to which the current and requested textile tariff structures represent, or would represent, a significant factor in investment and/or business decisions by domestic producers;
- b) the impact of tariff rate differentials, particularly those between Canada and the U.S., on competitiveness and investment;
- c) a domestic versus foreign price comparison, of the relevant textile input, based on recent attempts by the applicant to source the specific textile input from domestic and foreign producers;
- d) substitutability of imported textile inputs with domestic textile inputs (in terms of such factors as commercial availability of directly competing textile products and market acceptance); and,
- e) the ability of domestic producers, vis-à-vis foreign producers, to serve the Canadian downstream industries (bearing in mind such things as: industry sourcing patterns/market share; history of company sales; marketing and service history; repeat orders; delivery and other technical requirements; investment and business plans of current and potential suppliers; and, any extenuating circumstances).

The Tribunal should ensure that its recommendations are made as soon as practicable:

- i) within 120 days from the receipt of a properly documented request, and,
- ii) within any earlier specified timeframe, which the Tribunal determines to be appropriate, in cases of critical circumstances, after receipt of a properly documented case.

In assessing requests for tariff relief, the Tribunal should bear in mind:

- a) the effect on domestic textile and downstream producers of tariff and non-tariff liberalization flowing from the Canada-U.S. Free Trade Agreement, the North American Free Trade Agreement and the World Trade Organization Agreement; and,
- b) the effect of the elimination of full manufacturing duty drawback on non-NAFTA inputs post-1996, in the case of exports to the U.S. and 2001, in the case of exports to Mexico.

Finally, I would ask that the Tribunal continue to provide, on an annual basis, a status report on this investigation process and make recommendations for changes that may be appropriate to maximize net economic gains for Canada.

Sincerely,

The Honourable Paul Martin, P.C., M.P.

APPENDIX III
REQUESTS BY INDUSTRY SECTOR

	Apparel	Furniture	Textile	Other	Total
2000-2001					
Number	3	0	0	4	7
Percent	43	0	0	57	100
1999-2000					
Number	3	1	0	2	6
Percent	50	17	0	33	100
1998-99					
Number	17	0	0	1	18
Percent	94	0	0	6	100
1997-98					
Number	12	1	0	5	18
Percent	67	5	0	28	100
1996-97					
Number	16	0	0	1	17
Percent	94	0	0	6	100
1995-96					
Number	9	4	2	5	20
Percent	45	20	10	25	100
1994-95					
Number	50	3	5	15	73
Percent	68	4	7	21	100
CUMULATIVE TOTAL					
1994-2001					
Number	110	9	7	33	159
Percent	69	6	4	21	100

APPENDIX IV
GEOGRAPHIC DISTRIBUTION OF REQUESTS

	Quebec	Ontario	British Columbia	Prairies	Maritimes	Outside Canada
2000-2001						
Number	3	4	0	0	0	0
Percent	43	57	0	0	0	0
1999-2000						
Number	4	0	0	2	0	0
Percent	66	0	0	34	0	0
1998-99						
Number	14	2	1	1	0	0
Percent	77	11	6	6	0	0
1997-98						
Number	5	5	1	0	7	0
Percent	28	28	5	0	39	0
1996-97						
Number	11	6	0	0	0	0
Percent	65	35	0	0	0	0
1995-96						
Number	9	5	3	2	0	1
Percent	45	25	15	10	0	5
1994-95						
Number	28	9	30 ¹	6	0	0
Percent	39	12	41	8	0	0
CUMULATIVE TOTAL						
1994-2001						
Number	74	31	35	11	7	1
Percent	47	19	22	7	4	1

1. Twenty-eight of these requests covered similar textile inputs.

APPENDIX V
REQUESTS BY TYPE OF INPUT

	Fabric	Nonwoven	Yarn	Other	Total
2000-2001					
Number	7	0	0	0	7
Percent	100	0	0	0	100
1999-2000					
Number	4	1	1	0	6
Percent	66	17	17	0	100
1998-99					
Number	17	0	1	0	18
Percent	94	0	6	0	100
1997-98					
Number	15	1	0	2	18
Percent	83	6	0	11	100
1996-97					
Number	14	2	2	0	18 ¹
Percent	78	11	11	0	100
1995-96					
Number	17	2	1	0	20
Percent	85	10	5	0	100
1994-95					
Number	66	0	5	2	73
Percent	90	0	7	3	100
CUMULATIVE TOTAL					
1994-2001					
Number	140	6	10	4	160
Percent	88	4	6	2	100

1. One request covered two types of input.

APPENDIX VI

REQUESTS BY *CUSTOMS TARIFF* CHAPTER

Chapter	2000-2001		1999-2000		1998-99		1997-98		1996-97	
	Number of Requests	Percent	Number of Requests	Percent	Number of Requests	Percent	Number of Requests	Percent	Number of Requests	Percent
39	0	0	0	0	0	0	0	0	0	0
40	0	0	0	0	0	0	0	0	0	0
51	1	11	0	0	2	11	1	4	0	0
52	3	33	0	0	5	26	2	7	3	14
53	0	0	0	0	1	5	1	4	0	0
54	1	11	4	66	6	32	4	15	8	38
55	4	45	0	0	1	5	1	4	4	19
56	0	0	1	17	0	0	4	15	2	10
58	0	0	1	17	1	5	4	15	1	4.5
59	0	0	0	0	1	5	7	25	1	4.5
60	0	0	0	0	2	11	3	11	2	10
70	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	9 ¹	100	6	100	19 ¹	100	27 ¹	100	21 ¹	100

1. Some requests cover more than one chapter.

CUMULATIVE TOTAL
1994-2001

Chapter	Number of Requests	Percent
39	3	2
40	1	1
51	8	4
52	21	12
53	3	2
54	35	19
55	24	13
56	15	8
58	11	6
59	13	7
60	44	25
70	<u>1</u>	<u>1</u>
Total	179	100

APPENDIX VII

**PERCENTAGE OF TOTAL IMPORTS ACCOUNTED FOR BY IMPORTS BENEFITING FROM
TARIFF RELIEF FURTHER TO TRIBUNAL RECOMMENDATIONS, BY *CUSTOMS TARIFF*
CHAPTER**

Chapter	Percent of Imports by Chapter			
	2000-2001	1999-2000	1998-99	1997-98
39	0.02	0.03	0.17	0.09
40	0.00	0.00	0.00 ¹	0.00 ¹
51	5.16	0.93	0.93	1.53
52	7.73	6.75	4.53	5.19
53	7.53	4.79	5.26	11.81
54	4.25	3.95	4.06	5.02
55	3.32	4.05	3.24	4.55
56	0.53	0.64	0.34	0.65
58	2.71	2.65	3.06	3.83
59	1.36	1.46	1.23	2.12
60	1.64	1.55	1.62	1.75
70	<u>0.14</u>	<u>0.08</u>	<u>0.12</u>	<u>0.11</u>
Weighted Average	<u>0.76</u>	<u>0.71</u>	<u>0.71</u>	<u>0.91</u>

1. Negligible imports.

Source: Statistics Canada.

APPENDIX VIII

**SUMMARY OF INVESTIGATIONS COMPLETED
BETWEEN OCTOBER 1, 2000, AND SEPTEMBER 30, 2001**

Request No.	Requester	Textile Input	Tariff Item No.	Date of Commencement of Investigation	Date of Recommendation	Status/ Recommendation
TR-99-003A ¹	Western Glove Works Ltd.	Fabric	5209.31.90 5209.32.00	June 23, 2000	October 6, 2000	Indeterminate tariff relief
TR-99-008	JMJ Fashions Inc.	Fabric	5407.61.99	March 29, 2000	October 27, 2000	Indeterminate tariff relief
TR-2000-002	Majestic Industries (Canada) Ltd.	Fabric	5802.19.90	October 2, 2000	January 12, 2001	Indeterminate tariff relief
TR-2000-001	Peerless Clothing Inc.	Fabric	5408.22.29	September 1, 2000	January 24, 2001	Indeterminate tariff relief
TR-2000-004	Ballin Inc.	Fabric	5516.23.90 5516.93.90	January 3, 2001	March 9, 2001	Indeterminate tariff relief
TR-2000-003	Tantalum Mining Corporation of Canada Limited.	Fabric	5911.40.00	November 8, 2000	March 21, 2001	Indeterminate tariff relief
TR-2000-007 and TR-2000-008	Scapa Tapes North America Ltd.	Fabric	5208.21.90 5208.31.90	June 26, 2001	September 13, 2001	Indeterminate tariff relief

1. On February 29, 2000, Doubletex, a producer of fabrics allegedly identical to or substitutable for the fabrics covered in Request No. TR-99-003 (Report to the Minister dated February 4, 2000), requested that the Tribunal reconsider its recommendation. On October 6, 2000, the Tribunal re-affirmed the recommendation made in Request No. TR-99-003.

APPENDIX IX**SUMMARY OF INVESTIGATIONS IN PROGRESS AS OF SEPTEMBER 30, 2001**

Request No.	Requester	Textile Input	Tariff Item No./ Heading No.	Date of Commencement of Investigation
TR-2000-005	Peerless Clothing Inc.	Fabric	5112.11.90 5112.19.91	January 24, 2001
TR-2000-006	Doubletex	Fabric	5208 5209 5210 5211 5512 5513 5514	September 10, 2001

APPENDIX X

TARIFF RELIEF RECOMMENDATIONS IN PLACE AS OF SEPTEMBER 30, 2001

Request/Review No.	Requester	Tariff Item No./ O.I.C.	Duration
TR-94-001	Canatex Industries (Division of Richelieu Knitting Inc.)	5402.41.12	Indeterminate tariff relief
TR-94-004	Woods Canada Limited	5208.52.10	Indeterminate tariff relief
TR-94-010	Palliser Furniture Ltd.	5806.20.10	Indeterminate tariff relief
TR-94-012	Peerless Clothing Inc.	5309.29.20	Indeterminate tariff relief
TR-94-013 and TR-94-016	MWG Apparel Corp.	5208.42.20 5208.43.20 5208.49.20 5513.31.10 5513.32.10 5513.33.10	Indeterminate tariff relief
TR-94-017 and TR-94-018	Elite Counter & Supplies	9943.00.00	Indeterminate tariff relief
TR-95-003	Landes Canada Inc.	5603.11.20 5603.12.20 5603.13.20 5603.14.20 5603.91.20 5603.92.20 5603.93.20 5603.94.20	Indeterminate tariff relief
TR-95-004	Lingerie Bright Sleepwear (1991) Inc.	5208.12.20 5208.52.20	Indeterminate tariff relief
TR-95-005	Lingerie Bright Sleepwear (1991) Inc.	5513.11.10 5513.41.10	Indeterminate tariff relief
TR-95-009	Peerless Clothing Inc.	5408.21.10 5408.21.20 5408.22.21 5408.22.30	Indeterminate tariff relief
TR-95-010 and TR-95-034	Freed & Freed International Ltd. and Fen-nelli Fashions Inc.	5111.19.10 5111.19.20	Indeterminate tariff relief
TR-95-011	Louben Sportswear Inc.	5408.31.10 5408.32.20	Indeterminate tariff relief
TR-95-012	Perfect Dyeing Canada Inc.	5509.32.10	Indeterminate tariff relief

Request/Review No.	Requester	Tariff Item No./ O.I.C.	Duration
TR-95-013A	Doubletex	5208.11.30 5208.12.40 5208.13.20 5208.19.30 5208.21.40 5208.22.20 5208.23.10 5208.29.20 5209.11.30 5209.12.20 5209.19.30 5209.21.20 5209.22.10 5209.29.20	Indeterminate tariff relief
TR-95-036	Canadian Mill Supply Co. Ltd.	5208.21.20	Indeterminate tariff relief
TR-95-037	Paris Star Knitting Mills Inc.	5408.24.11 5408.24.91 5408.34.10 5516.14.10 5516.24.10	Indeterminate tariff relief
TR-95-051	Camp Mate Limited	5407.41.10 5407.42.10 5407.42.20 5903.20.22	Indeterminate tariff relief
TR-95-053 and TR-95-059	Majestic Industries (Canada) Ltd. and Caulfeild Apparel Group Ltd.	5802.11.10 5802.19.10 5802.19.20	Indeterminate tariff relief
TR-95-056	Sealy Canada Ltd.	3921.19.10 5407.69.10 5407.73.10 5407.94.10 5516.23.10 5903.90.21 6002.43.20	Indeterminate tariff relief
TR-95-057 and TR-95-058	Doubletex	5407.51.10 5407.61.92 5407.69.10 5515.11.10 5516.21.10 5516.91.10	Indeterminate tariff relief
TR-95-060	Triple M Fiberglass Mfg. Ltd.	7019.59.10	Indeterminate tariff relief
TR-95-061	Camp Mate Limited	6002.43.30	Indeterminate tariff relief
TR-95-064 and TR-95-065	Lady Americana Sleep Products Inc. and el ran Furniture Ltd.	6002.43.60	Indeterminate tariff relief
TR-96-003	Venture III Industries Inc.	5407.61.92	Indeterminate tariff relief
TR-96-004	Acton International Inc.	5906.99.21	Indeterminate tariff relief
TR-96-006	Alpine Joe Sportswear Ltd.	P.C. 1998-1118	Six-year tariff relief

Request/Review No.	Requester	Tariff Item No./ O.I.C.	Duration
TR-96-008, TR-96-010 to TR-96-013	Les Collections Shan Inc.	P.C. 1997-1668	Five-year tariff relief
TR-97-001	Jones Apparel Group Canada Inc.	5407.91.10 5407.92.20 5407.93.10 5408.21.30 5408.22.40 5408.23.20 5408.31.30 5408.32.40 5408.33.10	Indeterminate tariff relief
TR-97-002 and TR-97-003	Universal Manufacturing Inc.	5208.43.30 5513.41.20	Indeterminate tariff relief
TR-97-006	Peerless Clothing Inc.	5407.51.30 5903.90.22 5903.90.23 5903.90.24 6002.43.40 6002.43.50	Indeterminate tariff relief
TR-97-004, TR-97-007, TR-97-008 and TR-97-010	Blue Bird Dress of Toronto Ltd.	5407.51.20 5407.52.20 5407.61.94 5407.69.20	Indeterminate tariff relief
TR-97-011	Australian Outback Collection (Canada) Ltd.	5209.31.20 5907.00.16	Indeterminate tariff relief
TR-97-012	Ballin Inc.	5407.93.30 5516.23.20	Indeterminate tariff relief
TR-97-014	Lenrod Industries Ltd.	5603.93.40	Indeterminate tariff relief
TR-97-015, TR-97-016 and TR-97-020	Helly Hansen Canada Ltd.	5903.20.24	Indeterminate tariff relief
TR-98-001	Cambridge Industries	5608.19.20	Indeterminate tariff relief
TR-98-002	Distex Inc.	6002.92.20	Indeterminate tariff relief
TR-98-004, TR-98-005 and TR-98-006	Ladcal Investments Ltd., O/A Pintar Manufacturing Nour Trading House and T.S. Simms and Company Limited	5806.10.20	Indeterminate tariff relief
TR-98-007	Caulfeild Apparel Group Ltd.	5208.43.30	Indeterminate tariff relief
TR-98-016	Peerless Clothing Inc.	5407.93.20	Indeterminate tariff relief
TR-98-017	Jones Apparel Group Canada Inc.	5408.32.50 5408.33.20 5408.34.20	Indeterminate tariff relief
TR-98-019	Tribal Sportswear Inc.	5209.2.30 5209.22.20 5209.32.10	Indeterminate tariff relief

Request/Review No.	Requester	Tariff Item No./ O.I.C.	Duration
TR-99-002	Albany International Canada Inc.	5404.10.20	Indeterminate tariff relief
TR-99-003	Western Glove Ltd.	5209.31.30 5209.32.30	Indeterminate tariff relief
TR-99-004	Peerless Clothing Inc.	5112.11.20 5112.11.30 5112.19.20 5112.19.30	Indeterminate tariff relief
TR-99-005	Distex Inc.	6002.92.30	Indeterminate tariff relief
TR-99-006	Coloridé Inc.	5402.41.15	Indeterminate tariff relief
TR-99-008	JMJ Fashions Inc.	5407.61.20	Indeterminate tariff relief
TR-2000-001	Peerless Clothing Inc.	5408.22.22	Indeterminate tariff relief
TR-2000-002	Majestic Industries (Canada) Ltd.	5802.19.30	Indeterminate tariff relief
TR-2000-003	Tantalum Mining Corporation of Canada Ltd.	5911.40.10	Indeterminate tariff relief
TR-2000-004	Ballin Inc.	5516.23.30 5516.93.20	Indeterminate tariff relief
TA-98-001 ¹	Certain Dyed Woven Fabrics of Rayon and Polyester	5408.31.20 5408.32.30	Indeterminate tariff relief
TA-98-002 ²	Vinex FR-9B Fabric	5512.99.10	Indeterminate tariff relief
TA-98-003 ³	Woven Cut Warp Pile Fabrics	5801.35.10	Indeterminate tariff relief
TA-98-004 ⁴	Certain Ring-spun Yarns	5205.14.20 5205.15.20 5205.24.20 5205.26.20 5205.27.20 5205.28.20 5205.35.20 5205.46.20 5205.47.20 5205.48.20 5206.14.10 5206.15.10 5206.24.10 5206.25.10 5509.53.10 5509.53.20 5509.53.30 5509.53.40	Three-year tariff relief

1. A review of Request No. TR-95-009.
2. A review of Request No. TR-94-009.
3. A review of Request No. TR-95-014.
4. A review of Request Nos. TR-94-002 and TR-94-002A.