

PRACTICE NOTICE

**WITH RESPECT TO PRODUCT DESCRIPTION AND SAMPLES SUBMITTED
IN RESPECT OF TEXTILE TARIFF RELIEF INVESTIGATIONS**

Under the Canadian International Trade Tribunal's (the Tribunal) Textile Reference Guidelines, all requests for textile tariff relief must be accompanied by a description, as well as samples, of the textile input for which tariff relief is being sought.¹ It has been the Tribunal's past practice to send these samples to the Department of National Revenue (Revenue Canada) for detailed analysis only after an investigation has commenced.

Recent experience has shown, however, that some of the textile descriptions initially provided by requesters do not match the analysis subsequently received from Revenue Canada. In some cases, this has resulted in confusion among opposing parties about the textile input being considered for tariff relief. It has also caused delays in the Tribunal's investigations. Consequently, the Tribunal has decided to forward the textile samples and product description components of a request to Revenue Canada as soon as possible after receipt of a request in order to confirm the correct description of the textile input before the request is considered properly documented and an investigation has commenced.

Parties providing product descriptions and samples should be aware that, in the normal course of an investigation, those descriptions and samples will be made available for review and comment by all other interested parties. This approach is designed to ensure that enough information is on the public record and available to interested parties to allow them to participate in the investigation in a meaningful way. Any party that seeks to keep portions of textile descriptions or textile samples confidential must, therefore, demonstrate the need for confidentiality and must also, at a minimum, produce enough public information to allow other participants in the investigation a fair chance to comment on the substance of the case under consideration.² In all cases, the Tribunal will balance the need for fair disclosure with a party's need for confidentiality.

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1. Textile Reference Guide, Textile Reference Guidelines, Form A, nos. 2 and 3 at 18.
 2. *Canadian International Trade Tribunal Act*, R.S.C. 1985, c. 47 (4th Supp.), s. 46.

By order of the Tribunal

Michel P. Granger
Secretary of the Tribunal

October 13, 1995