



Ottawa, November 1, 2006

MEMORANDUM D15-1-89

In Brief

WATERPROOF RUBBER FOOTWEAR

Application of anti-dumping duty

1. This Memorandum refers to the application of anti-dumping duty to importations of waterproof rubber footwear originating in or exported from the People's Republic of China.
2. The Memorandum is divided into six sections under "Guidelines and General Information."
3. A description of the goods is provided.
4. The milestone dates of the investigation are provided along with the applicable classification numbers.
5. Additional information concerning interest owing is provided in Customs Notice CN-450, *Legislative Changes With Respect to Interest on Anti-dumping, Countervailing, or Provisional Duties Levied Under the Special Import Measures Act (SIMA) and Resulting Proposed Regulatory Changes in Support of Those Legislative Changes*.
6. Information regarding the normal value of subject goods and anti-dumping duties is provided.
7. This memorandum replaces and supersedes Memorandum D15-1-89 dated June 11, 2003.





Ottawa, November 1, 2006

MEMORANDUM D15-1-89

WATERPROOF RUBBER FOOTWEAR

This Memorandum refers to the application of anti-dumping duty to importations of waterproof rubber footwear originating in or exported from the People's Republic of China, as a result of a finding of injury by the Canadian International Trade Tribunal, in accordance with the provisions of the *Special Import Measures Act*.

GUIDELINES AND GENERAL INFORMATION

1. As a result of a finding by the Canadian International Trade Tribunal, waterproof rubber footwear constructed wholly or in part of rubber, including thermoplastic rubber, worn over the foot or shoe, with or without liners, linings, fasteners, or safety features originating in or exported from the People's Republic of China, is subject to anti-dumping duty in accordance with section 3 of the *Special Import Measures Act*.
2. Excluded from the finding are:
 - (a) riding boots;
 - (b) snowmobile boots;
 - (c) rubber-bottom, leather-top boots;
 - (d) safety footwear, defined as footwear which meets safety standards established by the Canadian Standards Association; and
 - (e) steel-studded over-the-shoe rubbers (on August 18, 2005, the Canadian International Trade Tribunal concluded an interim review of its October 18, 2002 order to exclude this product).
3. As a general guideline, these goods are normally classified in the Harmonized System under the following ten-digit classification numbers:
 - 6401.10.19.00
 - 6401.91.19.00
 - 6401.92.91.10
 - 6401.92.91.90
 - 6404.19.90.91
 - 6404.19.90.92
 - 6404.19.90.93

4. This liability for duty results from proceedings conducted under the *Anti-dumping Act*, now the *Special Import Measures Act*, under which the following decisions apply:

Action	Date
Initiation of Investigation	May 22, 1981
Preliminary Determination	January 26, 1982
Tribunal's Finding (future injury only)	April 23, 1982
Tribunal's Orders	October 22, 1987
	October 21, 1992
	October 20, 1997
	October 18, 2002

5. Information regarding the normal value of the goods in question and the amount of anti-dumping duty payable should be obtained from the exporters. Please refer to Memorandum D14-1-2, *Disclosure of Normal Value and Export Price Established Under the Special Import Measures Act to Importers*, that outlines the conditions under which the Canada Border Services Agency may make the information available to importers

6. Any questions concerning this memorandum should be directed to:

Anti-dumping and Countervailing Program
Trade Programs Directorate
Canada Border Services Agency
100 Metcalfe Street, 10th Floor
Ottawa ON K1A 0L8

Contact: Robert Cousineau
Telephone: 613-954-7183
Facsimile: 613-941-2612
Email: Robert.Cousineau@cbsa-asfc.gc.ca

Contact: Patricia Brooks
Telephone: 613-954-7358
Facsimile: 613-941-2612
Email: Patricia.Brooks1@cbsa-asfc.gc.ca

REFERENCES

ISSUING OFFICE – Anti-dumping and Countervailing Program	HEADQUARTERS FILE – 4235-120
LEGISLATIVE REFERENCES – <i>Special Import Measures Act</i> , section 3	OTHER REFERENCES – D15-2-42
SUPERSEDED MEMORANDA “D” – D15-1-89, June 11, 2003	

Services provided by the Canada Border Services Agency are available in both official languages.

