



Ottawa, November 26, 2002

CUSTOMS NOTICE N-484

Footwear Originating in or Exported From the People's Republic of China

1. This notice advises that the Canada Customs and Revenue Agency administers four orders/findings of the Canadian International Trade Tribunal (Tribunal) respecting the dumping of certain footwear originating in or exported from the People's Republic of China (China).
2. The Tribunal has issued orders/findings regarding the dumping of certain Chinese footwear, as per the following:

Products	Date of Order/Findings
Waterproof rubber footwear	October 18, 2002
Women's leather and non-leather boots	May 1, 2000
Waterproof footwear and bottoms of plastic or rubber	December 8, 2000
Leather safety footwear with metal toe caps	December 27, 2001

3. The amount of the anti-dumping duty is equal to a percentage of the FOB selling price of the subject goods to the importer in Canada. These percentages are:

Products	Amount of the Anti-dumping Duty Percentage of FOB Price
Waterproof rubber footwear	74%
Women's leather and non-leather boots	29%
Waterproof footwear and bottoms of plastic or rubber	49%
Leather safety footwear with metal toe caps	39.4%

Waterproof Rubber Footwear

4. Waterproof rubber footwear is constructed wholly or in part of rubber, including thermoplastic rubber (TPR), worn over the foot or shoe, with or without liners, linings, fasteners, or safety features. The range of rubber footwear may be categorized into the following groups:

- (a) low rubbers of light or heavy construction which may have such features as nylon vamp, net lining, and stretchable rubber;
- (b) overshoes 6 to 10 inches (15 to 25 cm) in height, which may include zippers, straps, buckles, nylon tops, fleece or net linings, etc.; and
- (c) all-rubber boots of various heights. This latter group comprises red sole rubber boots, city boots, rainboots, riding boots, hunting and fishing boots, hip and chest waders.

Women's Leather and Non-Leather Boots

5. Women's leather and non-leather boots are constructed with uppers made of leather and non-leather materials and manufactured in sizes 4 and up. The scope of the definition includes winter and cowboy boots, as well as utility or work boots.
6. The following types of footwear do not fall within the definition of women's leather and non-leather boots under this finding: sports footwear, waterproof rubber footwear, waterproof plastic footwear, safety footwear incorporating protective metal toe caps, orthopedic footwear, canvas footwear, unassembled footwear, overshoes, and disposable footwear. However, some of these goods may fall within the product definition of one of the other orders/findings detailed in this notice.

Waterproof Footwear and Bottoms of Plastic or Rubber

7. The distinctive feature of waterproof footwear is that both the sole portion and a portion of the upper, sufficient to give waterproof protection to the foot, are incorporated into a single component which may be made of rubber or plastic.
8. The subject goods include waterproof plastic footwear made from plastic resins by injection moulding or other processes. The term "plastic" includes polyvinyl chloride (PVC) and other plastics. PVC is the plastic most commonly used in this class of footwear. In other styles, such as duck shoes or winter boots, a boat-like (or shell-like) waterproof bottom may have trimmings, attachments, liners, cuffs, or tops (also referred to as "uppers") of nylon or other materials.
9. The subject goods also include certain styles of waterproof rubber footwear. The term "rubber" refers to natural and synthetic rubber, including TPR. Rubber-bottom footwear with leather tops, waterproof rubber riding boots, and waterproof rubber safety shoes are also subject.

10. Moulded clogs are also included in the definition of the subject goods. Such goods are typically made from plastic or rubber and may be open or closed at the heel, depending on the design of the sole.

11. Waterproof bottoms of plastic or rubber are also included in the definition of the subject goods. A bottom is the lower boat-like component which is combined with an upper made of nylon, leather, or other material, and a liner to comprise the finished waterproof footwear.

12. The following type of footwear does not fall within the definition of waterproof footwear and bottoms of plastic or rubber: fully waterproof polyvinyl chloride injection-moulded footwear consisting of a one-piece construction where the entire surface, other than the sole portion, is coated with an adhesive and flocked with small particles of suede, suede dust, or suede powder, whether or not trimmed with other materials and however fastened.

Leather Safety Footwear With Metal Toe Caps

13. Leather footwear with metal toe caps refers to footwear incorporating metal toe caps to protect the foot from falling objects. The upper, which is made of leather, is defined as that part of the shoe or boot above the sole. Where the upper is composed of more than one material, the classification is determined by the constituent material that has the greatest external surface area, excluding accessories and reinforcements such as eyelets and hooks.

14. The soles of safety footwear are made predominantly of plastic or rubber but may be made of other materials or combinations of materials. The scope of the safety footwear subject to this finding is unrestricted as to the materials of the sole.

15. The subject goods may be equipped with steel sole plates and/or other protective components in addition to metal toe caps.

16. The following goods are excluded from the finding:

(a) athletic style and hiking style leather safety shoes of cement construction. For greater clarity, "shoes" are defined as footwear worn below the ankle, and "cement construction" refers to a process where the outsole is cemented to the bottom of a lasted upper; and

(b) leather boots with metal toe caps and rubber outsoles, for use in motorcycle riding, incorporating zippers or buckles and a commonly recognized motorcycle brand name affixed permanently.

17. Please refer to the following four D Memoranda for more information on each order/finding:

Products	D Memorandum
Waterproof rubber footwear	D15-1-89
Women's leather and non-leather boots	D15-1-84
Waterproof footwear and bottoms of plastic or rubber	D15-2-35
Leather safety footwear with metal toe caps	D15-2-39

18. You may also contact the following directorate for further details on this notice:

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