



Ottawa, October 25, 2005

CUSTOMS NOTICE 627

Certain Hot-Rolled Steel Plate

1. This notice is to advise that on September 7, 2005, the Canada Border Services Agency (CBSA) initiated two re-investigations of normal values and export prices in respect of certain hot-rolled carbon steel plate and high-strength low-alloy plate under the *Special Import Measures Act* (SIMA).
2. The two re-investigations relate to:
 - (a) Certain hot-rolled carbon steel plate and high-strength low-alloy plate originating in or exported from the People's Republic of China (China), the Republic of South Africa and the Russian Federation, subject to the Canadian International Trade Tribunal's (Tribunal) finding of material injury issued on October 27, 1997, and continued on January 10, 2003 (**Plate III**); and
 - (b) Certain hot-rolled carbon steel plate and high-strength low-alloy plate originating in or exported from Bulgaria, the Czech Republic and Romania, subject to the Tribunal's finding of material injury issued on January 9, 2004 (**Plate V**).
3. The goods subject to the Tribunal's findings are described in the attached appendices and are properly classified under the listed ten-digit Harmonized System classification numbers.
4. Pursuant to SIMA, China is defined as a "prescribed" country. As such, normal values for subject goods from China may be determined under section 20 in situations where, in the opinion of the President of the CBSA, domestic prices are substantially determined by the government of that country and there is sufficient reason to believe that they are not substantially the same as they would be if they were determined in a competitive market.
5. The CBSA recently completed a section 20 inquiry with respect to the Chinese primary steel industry¹, which includes the hot-rolled steel plate product segment. Based on the available information, the CBSA was satisfied that section 20 conditions continue to exist in that industry. The inquiry was part of a re-investigation in respect of certain flat hot-rolled carbon and alloy steel sheet and strip (hot-rolled steel sheet) that was concluded on June 29, 2005.

For that purpose, the Government of China, steel producers/exporters in that country and other interested parties were requested to supply information and evidence on the matter. During this same period, the CBSA continued to research and review publicly available information sources. No information or evidence was provided in response to the CBSA's section 20 information requests. Additional details on this decision, including supporting information, are available from the CBSA's administrative record.

6. On the basis of the evidence gathered during the hot-rolled steel sheet re-investigation and on the conclusions reached at that time, the CBSA initiated another section 20 inquiry on the Chinese primary steel industry for the purposes of this re-investigation. Supporting information is available on the administrative record for the purposes of this review. Interested parties that wish to comment on the application of section 20 of SIMA are requested to provide facts and supporting information to the CBSA by October 3, 2005. In addition, section 20 information requests will be provided to the Government of China as well as exporters/producers in China.
7. For exporters that cooperate with the CBSA in this re-investigation, the normal values established will be effective for the subject goods released from the CBSA on or after February 3, 2006, or the date of the ruling letter to the exporter, whichever occurs first. Normal values currently in place will expire on that date. An exporter will be considered cooperative if a complete response to the CBSA's Request for Information is submitted on time and the exporter permits verification of the data.
8. Where an exporter either does not provide sufficient information to determine normal values or does not permit verification of information submitted, normal values will be determined in accordance with a ministerial specification, which is currently calculated by advancing the export price of the goods as follows:

- (a) 80.2% for China, the Republic of South Africa and the Russian Federation
- (b) 74.6% for Bulgaria, the Czech Republic and Romania

¹ For the purposes of this inquiry, the primary steel industry covers primary steel products created when the steel is initially cast and formed. In general terms, long and flat-rolled products are the two main categories of primary steel products.

9. Importers are cautioned that new normal values, when issued, may be higher than those currently in effect and that this could result in additional assessments of anti-dumping duty. Furthermore, importers are cautioned that unless an exporter cooperates in this re-investigation and receives normal values at its conclusion, normal values for subsequent shipments of subject goods will be established by advancing the export price in the manner described above.

10. In addition, in cases where changes occur in domestic prices, market conditions and/or costs associated with production and sales of the subject goods, the concerned parties are responsible for informing the CBSA of such changes in writing and in a timely manner. If the concerned parties do not or did not properly notify the CBSA of substantial changes, or if they do not provide the information required to make any necessary adjustments to values, retroactive assessments of anti-dumping duty may be warranted. In addition, the normal values determined on the basis of the re-investigation will be applied to any entries of subject goods under appeal that have yet to be re-determined at the time of the conclusion of this re-investigation.

11. Notice of the completion of this re-investigation will be published in a Customs Notice. Any questions concerning the above should be directed to:

Canada Border Services Agency
Trade Programs Directorate
SIMA Registry and Disclosure Unit
100 Metcalfe Street, 11th Floor
Ottawa ON K1A 0L8

Telephone: (613) 948-4605
Facsimile: (613) 948-4844

Denis Chénier
Telephone: (613) 954-7394
Email: Denis.Chenier@cbsa-asfc.gc.ca

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Telephone: (613) 954-7246
Email: Bob.Becker@cbsa-asfc.gc.ca

Web site: www.cbsa.gc.ca/sima

APPENDIX 1

Plate III Product Definition
(People’s Republic of China, the Republic of South Africa and the Russian Federation)

Subject goods are:

“Hot-rolled carbon steel plate and high-strength low-alloy plate not further manufactured than hot-rolled, heat-treated or not, in cut lengths, in widths from 24 inches (+/- 610 mm) to 152 inches (+/- 3,860 mm) inclusive, and thicknesses from 0.187 inches (+/- 4.75 mm) to 4 inches (+/- 101.6 mm) inclusive, originating in or exported from the People’s Republic of China, the Republic of South Africa and the Russian Federation, but excluding plate for use in the manufacture of pipe and tube (also known as skelp); plate in coil form; plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate); and plate produced to American Society for Testing and Materials (ASTM) specifications A515 and A516M/A516, grade 70, in thicknesses greater than 3.125 inches (+/- 79.3 mm).”

ASTM standards, such as A6/A6M and A20/A20M, recognize permissible variations for dimensions.

It should be noted that the metric equivalent dimensions in the definition of the subject goods are rounded numbers as indicated by the “+/-” symbols.

The subject goods are normally imported into Canada under the following Harmonized System classification numbers:

7208.51.91.10	7208.51.99.10	7208.52.90.10
7208.51.91.91	7208.51.99.91	7208.52.90.91
7208.51.91.92	7208.51.99.92	7208.52.90.92
7208.51.91.93	7208.51.99.93	7208.52.90.93
7208.51.91.94	7208.51.99.94	7208.52.90.94
7208.51.91.95	7208.51.99.95	7208.52.90.95

APPENDIX 2

Plate V Product Definition
(Bulgaria, Czech Republic and Romania)

Subject goods are:

“Hot-rolled carbon steel plate and high-strength low-alloy steel plate not further manufactured than hot-rolled, heat-treated or not, in cut lengths in widths from 24 inches (+/- 610 mm) to 152 inches (+/- 3,860 mm) inclusive and in thicknesses from 0.187 inches (+/- 4.75 mm) to 4 inches (+/-101.6 mm) inclusive, originating in or exported from Bulgaria, the Czech Republic and Romania, excluding plate produced to American Society for Testing and Materials (ASTM) specifications A515 and A516M/A516 grade 70 in thicknesses greater than 3.125 inches (+/- 79.3 mm), universal mill plate, plate for use in the manufacture of pipe and plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate).”

ASTM standards, such as A6/A6M and A20/A20M, recognize permissible variations for dimensions.

It should be noted that the metric equivalent dimensions in the definition of the subject goods are rounded numbers as indicated by the “+/-” symbols.

The subject goods are normally imported into Canada under the following Harmonized System classification numbers:

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7208.51.91.92	7208.51.99.92	7208.52.90.92
7208.51.91.93	7208.51.99.93	7208.52.90.93
7208.51.91.94	7208.51.99.94	7208.52.90.94
7208.51.91.95	7208.51.99.95	7208.52.90.95