

**CANADIAN INTERNATIONAL TRADE TRIBUNAL  
SAFEGUARD INQUIRY—MARKET DISRUPTION  
IMPORTS FROM CHINA  
GUIDE FOR COMPLAINANT**

## **INTRODUCTION**

The Tribunal is an independent administrative tribunal that, among other things, can conduct market disruption inquiries with respect to goods imported from the People’s Republic of China (China).

The purpose of a market disruption inquiry is to determine if goods originating in China are being imported into Canada in such increased quantities or under such conditions as to have caused or are threatening to cause market disruption to domestic producers of like or directly competitive goods (like goods).

The Tribunal may conduct a market disruption inquiry following a complaint by a domestic producer or any person or association acting on behalf of the domestic producer. The Government may also direct the Tribunal to conduct a market disruption inquiry.

If you are thinking about preparing a complaint concerning imported goods from China, you should start by reading the interim guideline entitled “Safeguard Inquiries—Imports from China” which provides full details on market disruption inquiries.

The steps in this guide are intended to help you prepare a complaint concerning imported goods from China causing market disruption to the Canadian industry. If you need further information or clarification, you may also contact:

The Secretary  
Telephone: (613) 993-3595  
Fax: (613) 990-2439  
E-mail: [secretary@citt-tcce.gc.ca](mailto:secretary@citt-tcce.gc.ca)

## **STEP 1—COMPLETING THE STATEMENT OF COMPLAINT**

You should complete a Statement of Complaint for your specific case following the model letter on page v of this document. You should complete a Statement of Complaint for your specific case using your company letterhead, by replacing all of the italicized words in parentheses in the model letter with the words or terms that are appropriate and relevant to your case. Print a final copy and have it signed by a person who has the authority to submit a complaint on behalf of your company. This statement is also your pledge that the information that it contains is true and complete.

If you do not account for all Canadian production, you should contact other producers to determine if they support your complaint and use that information to complete paragraph (b) of the Statement of Complaint.

## **STEP 2—ANSWERING THE QUESTIONNAIRE**

In order to facilitate the filing of a complaint and ensure that the Tribunal has all the necessary information, you must answer a series of questions and attach supporting evidence to explain and document the allegations in your complaint. This information is requested in order to help the Tribunal determine if it should commence an inquiry. There are three components to the Tribunal’s questionnaire. Part A consists of

information that is normally considered public, while Part B deals with information that is normally considered confidential. You must submit Part A and Part B of the questionnaire at the same time as you file your Statement of Complaint with the Tribunal.

Part C is **optional** at this stage of the proceeding and deals with confidential information. You do not have to send Part C with your Statement of Complaint. If the Tribunal decides to commence an inquiry, however, you will be asked to provide this information. If you choose to complete and file Part C of the questionnaire at the same time as you file your complaint, you will not have to resubmit the same information at a later stage of the process. If the Tribunal needs supplementary information not covered by the questionnaire, you will be sent a supplementary questionnaire.

Most of the information requested is about your firm and its operations. You will notice that information about the total production of the goods in Canada and total imports of the goods into Canada from China and all other sources is also requested. This information is important in order to assess the impact of imports from China on the Canadian market. If the information is not available or not publicly available, you are requested to provide estimates for production and imports as requested in the questionnaire.

### STEP 3—FILING YOUR COMPLAINT

Forward your Statement of Complaint, your answers to the questionnaire along with supporting evidence, and a separate non-confidential version of this information to:

The Secretary  
Canadian International Trade Tribunal  
333 Laurier Avenue West  
15th Floor  
Ottawa, Ontario  
K1A 0G7

After the Tribunal receives your complaint, it will evaluate it and decide whether it is complete and properly documented. If your complaint is complete, the Tribunal will decide whether or not to commence an inquiry. The Tribunal will notify you of its decision normally within three weeks. When assessing your complaint, the Tribunal may request further clarification.

Please complete the electronic **Microsoft Word** version of the questionnaire. You will note that the format used allows the text boxes to expand. You must forward to the Tribunal **both** the printed copy and the electronic copy. Please note that these two copies **must be identical**.

### SOURCE OF DATA AND INFORMATION FOR PREPARING YOUR COMPLAINT

Your written complaint may lead to an investigation by the Tribunal if it meets all the requirements set out in this guide. If you have important information to support your allegations that has not specifically been requested, you should include this information in your complaint. The more information available to the Tribunal, the better equipped it will be to assess your complaint. It is, therefore, in your best interest to provide the Tribunal with all available information. A list of sources of statistics and information on market trends for production and trade follows.

You may wish to contact the appropriate trade association as it may have information on domestic producers and even on trade statistics. Searches for commodities in the Canadian international merchandise

trade database, at the 8-and 10-digit *Harmonized Commodity Description and Coding System* levels, can be performed through Statistics Canada at [http://www.statcan.ca/trade/scripts/trade\\_search.cgi](http://www.statcan.ca/trade/scripts/trade_search.cgi). You should note that there is a fee to obtain that information.

A list describing various Statistics Canada products and services relating to international trade statistics is available at the following Web site: <http://www.statcan.ca/english/tradedata/tradedata.htm>.

If you do not have access to the Internet, you can contact Statistics Canada using the following co-ordinates:

**Telephone (Canada and the United States only):**

Telephone lines are open from 8:30 a.m. to 4:30 p.m. in each of Canada's time zones

- **1 800 263-1136**—Toll-free general enquiries line
- **1 877 287-4369**—Toll-free fax line

**Postal Address:**

Statistical Reference Centre (National Capital Region)  
R.H. Coats Building, Lobby  
Holland Avenue  
Ottawa, Ontario  
K1A 0T6

**FEDERAL GOVERNMENT DEPARTMENTS/AGENCIES**

- ***Department of Agriculture and Agri-Food***
  - **Agri-Food Trade Service**  
<http://ats-sea.agr.ca/general/home-e.htm>
- ***Department of Foreign Affairs and International Trade***
  - **Imports and Exports Controls Bureau**  
<http://www.dfait-maeci.gc.ca/eicb>
- ***Department of Fisheries and Oceans***
  - **Statistical Services**  
[http://www.dfo-mpo.gc.ca/communic/statistics/stat\\_e.htm](http://www.dfo-mpo.gc.ca/communic/statistics/stat_e.htm)
- ***Department of Industry*** ([www.strategis.gc.ca](http://www.strategis.gc.ca))
  - **Trade and Investment Menu**  
[http://www.strategis.gc.ca/sc\\_mrkti/engdoc/homepage.html](http://www.strategis.gc.ca/sc_mrkti/engdoc/homepage.html)
  - **Economic Analysis and Statistics Menu**  
[http://www.strategis.gc.ca/sc\\_ecnmy/engdoc/homepage.html](http://www.strategis.gc.ca/sc_ecnmy/engdoc/homepage.html)
- ***Department of Natural Resources***
  - **Mineral and Mining Statistics**  
<http://mmsd1.mms.nrcan.gc.ca/mmsd/default.html>
- ***Department of Transport***
  - **Trade and Transportation**  
[http://www.tc.gc.ca/pol/en/tradetransport/Trade\\_and\\_Transport\\_Menu.htm](http://www.tc.gc.ca/pol/en/tradetransport/Trade_and_Transport_Menu.htm)
  - **T-Facts**  
<http://www.tc.gc.ca/pol/en/t-facts3/NoFrames.asp>

## OTHER IMPORTANT INFORMATION

### Confidentiality of the Complaint

The Tribunal will post on its Web site a list of complaints received but not yet initiated. A copy of the public complaint will be sent to the Department of Finance.

If the complaint meets the filing requirements and if the Tribunal is satisfied that the information discloses a reasonable indication that goods originating in China cause or threaten to cause market disruption to domestic producers, the Tribunal will commence an inquiry. At that time, a notice will be published in the *Canada Gazette*. All interested parties will receive a copy of the decision.

If the Tribunal decides not to initiate an inquiry, a notice to that effect will be published in the *Canada Gazette*. All interested parties will receive a copy of the decision.

### Protection of Confidential Information

For all cases, the Tribunal maintains a public record that is made available for viewing on the Tribunal's premises. Further, all parties to a proceeding can expect that copies of the public documentation that they submit to the Tribunal will be provided by the Tribunal to the other parties to the proceeding.

If a complainant submits documents containing information that it wishes to keep confidential, it must provide the Tribunal with:

- a statement identifying the information that it wants to keep confidential, together with an explanation as to why the information is confidential;
- a non-confidential summary of the confidential information, which should contain sufficient detail to convey a reasonable understanding of the substance of the confidential information (for example, a version of the information which blocks out the confidential information); and
- one set of documents containing the confidential information and marked “confidential” or “*confidentiel*” and one set of documents from which the confidential information has been deleted.

Your confidential information will be protected by the Tribunal under the terms of the *Canadian International Trade Tribunal Act* (CITT Act) and will be available only to counsel who have filed strict confidentiality undertakings.

For more information on the disclosure and treatment of confidential information, contact the Tribunal.

## SAFEGUARD MEASURES

If, after an inquiry, the Tribunal determines that increased imports of goods from China have caused, or are threatening to cause, market disruption to Canadian producers of like goods, the Government may apply import measures to prevent or remedy the market disruption. The Protocol on the Accession of the People's Republic of China to the World Trade Organization sets out the conditions under which measures can be applied ([www.wto.org](http://www.wto.org)). If the Government applies safeguard measures following a market disruption inquiry, the Tribunal may conduct a market disruption extension inquiry following a request by a domestic producer to determine if the measures continue to be necessary to remedy or prevent market disruption. (See the Interim Guideline.)

## MODEL STATEMENT OF COMPLAINT

**Note: Complete the following on your company letterhead. Replace the italicized words in parentheses with the appropriate terms or information. Have the statement of complaint signed by a person who has the authority to submit a complaint on behalf of your company.**

The Secretary  
Canadian International Trade Tribunal  
333 Laurier Avenue West  
15th Floor  
Ottawa, Ontario  
K1A 0G7

*(date)*

Sir/Madam,

*(Company name or association)* is a *(producer, manufacturer or an association of producers or manufacturers)* of *(goods)* in Canada.

This complaint concerns market disruption caused by *(product subject to this complaint)* originating in or exported from China.

- (a) Provide in reasonable detail the facts and documentary evidence on which the allegations are based.*
- (b) Provide an estimate of the total percentage of Canadian production of the like goods that is produced by the domestic producers by whom or on whose behalf the complaint is filed and documentary evidence to substantiate this estimate.*
- (c) Attach the completed questionnaire.*
- (d) Make any other representations and provide any additional information that you deem relevant to the matter.*

## CERTIFICATION

The undersigned certifies that the information herein supplied is complete and correct to the best of his/her knowledge and belief. The undersigned also certifies that a non-confidential edited version or a non-confidential summary of the confidential information contained herein has been provided to the Tribunal.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Authorized Official

\_\_\_\_\_

Telephone

\_\_\_\_\_

\_\_\_\_\_

Fax

\_\_\_\_\_

Name and Title of Authorized Official  
(Please print)

\_\_\_\_\_

E-mail

## DEFINITIONS USED IN THE QUESTIONNAIRE

The following definitions might be useful when completing the questionnaire.

- Associated Firms:** Firms that are related to each other in **any manner**. For example, firms are associated or related if an officer or director of one firm is an officer or director of the other, or if a firm directly or indirectly owns, holds or controls shares of the other firm, or if a firm is the exclusive distributor for another. A customer/supplier relationship, by itself, does not mean firms are “associated”.
- Delivery Costs:** The average delivery costs (freight, handling and insurance), from the point of direct shipment in Canada to your customers, whether included in the selling value or incurred separately by your customers, expressed as a percentage of the net delivered selling value.
- Time Period:** Please note that you are asked to provide information for the **last three full calendar years, as well as for the current year to date period**. Always try to include the most up-to-date information in your complaint.
- Interim Period:** In some tables you will see that you are requested to provide information for **Interim—Current Year** and **Interim—Last Year**. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.
- Practical Plant Capacity:** This is the greatest level of output from the machinery and equipment used in the production of the product subject to this complaint that your plant can achieve on a continuous basis within the framework of a realistic work pattern. Consideration should be given to the typical product mix, number of shifts per day, annual operating days, etc., experienced during the past five years.
- Net Delivered Purchase Value:**
- a) For **imports**, the net delivered purchase value is the laid-in cost net of cash, quantity or deferred discounts, allowances and taxes, but **including** all import costs, such as customs and other duties, brokerage fees and delivery costs (freight, handling and insurance) to your warehouse. The net delivered purchase value should be stated in Canadian dollars, as declared for customs purposes.
  - b) For **domestic purchases**, the net delivered purchase value is the laid-in cost net of cash, quantity or deferred discounts, allowances and taxes, but **including** delivery costs (freight, handling and insurance) to your warehouse.

**Net Delivered  
Selling Value:**

- a) For **sales from domestic production**, the net delivered selling value is net of cash, quantity or deferred discounts, allowances and taxes. However, it **includes** delivery costs (freight, handling and insurance) from the point of direct shipment in Canada paid by your firm and included in the selling price or an estimate of the delivery costs incurred by your customer.
- b) For **sales from imports**, the net delivered selling value is net of cash, quantity or deferred discounts, allowances and taxes. However, it **includes** delivery costs (freight, handling and insurance) from the point of direct shipment in Canada paid by your firm and included in the selling value or an estimate of the delivery costs incurred by your customer in Canadian dollars.

**Trade Level:**

Where this information is requested, it refers to the level at which the customer or the account conducts its business. Examples of different trade levels that may be indicated in your replies would include wholesalers, distributors, retailers, end users, contractors, service centres, institutions, independent owners and franchises.

**Units of Volume:**

All responses to volume questions in this questionnaire should be expressed in the same units of volume. Please use the metric units of volume that are most appropriate and commonly used for your industry.

**CANADIAN INTERNATIONAL TRADE TRIBUNAL  
SAFEGUARD INQUIRY—MARKET DISRUPTION  
IMPORTS FROM CHINA  
COMPLAINANT’S QUESTIONNAIRE  
PART A—PUBLIC INFORMATION**

**GENERAL INFORMATION**

1. Please provide the identity of your firm and counsel for your firm, if any, including:

Business Name

**HEAD OFFICE**

Address

Telephone

Fax

Web Site

**CONTACT PERSON**

Name and Corporate Title

Telephone

Fax

E-mail

**COUNSEL**

Name

Address

Telephone

Fax

**FOR SERVICE OF DOCUMENTS**

Address

E-mail

2. Please specify the standard units of volume used in this questionnaire:



3. Please describe the product subject to this complaint. Provide the name and description of the imported goods concerned, their tariff classification, and the name and description of the like goods concerned.

4. Are the imported goods concerned subject to any concessionary tariff codes (i.e. Annex Codes), to any import or export restraints, such as quotas, or to ex-quota treatment?

Yes  No

If so, please provide details.

5. If your firm is wholly or partly owned by other firms involved in any manner with the product subject to this complaint, whether upstream or downstream, please list the names and addresses of the other firms, and indicate the percent share of ownership or interest in your firm by the other firms.

<b>Name</b>	<b>Address</b>	<b>Percent Share of Ownership</b>
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6. If your firm wholly or partly owns other firms involved in any manner with the product subject to this complaint, whether upstream or downstream, please list the names and addresses, and indicate the percent share of your ownership or interest in those companies.

<b>Name</b>	<b>Address</b>	<b>Percent Share of Ownership</b>
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7. If your firm is associated with other producers, exporters or importers of the product subject to this complaint, suppliers of raw materials used in the production of these goods or customers that buy them either domestically or outside of Canada, please list their names, their roles in the industry (producers, suppliers, importers, exporters or customers) and their addresses, and indicate the nature of the association.

Name	Address	Nature of Association	Role in Industry

8. Please provide a brief history of your firm, with particular emphasis on the production of the product subject to this complaint. The history, among other things, should cover the date of incorporation, corporate structure, the date that the product subject to this complaint was first produced, and the range of products made by the firm.

9. If your firm publishes an annual report to shareholders, please provide either:
- a) one photocopy-ready copy, or
  - b) 25 printed copies.

10. Please indicate the location(s) of your plant(s) and the respective product lines produced at each plant.

Plant Location	Product Lines

11. Have you permanently closed or otherwise disposed of any plants producing the product subject to this complaint or made any significant asset disposals in the last three years?

Yes

No

If so, please indicate the plant or major asset concerned and the date, location and reasons for the closure or disposal.

12. Please describe how both the imported goods and the domestic like goods are produced. Provide technical documentation describing the products and the production processes.

13. Please identify the names and locations of other domestic firms that produce the product subject to this complaint. Please make copies of the following table if you need more space. Please provide a supporting letter from each producer.

Business Name
---------------

Does this producer support your complaint?

YES

NO

**HEAD OFFICE**

**CONTACT PERSON**

--

Address

--

Name and Corporate Title

--

Telephone

--

Fax

--

Telephone

--

Fax

14. Besides domestic producers, please identify the names and locations of other interested parties (association of producers, customers, exporters or importers) of the product subject to this complaint. Please make copies of the following table if you need more space.

--

Business Name

<input type="checkbox"/> Retailer	<input type="checkbox"/> Distributor	<input type="checkbox"/> Importer	<input type="checkbox"/> Exporter
<input type="checkbox"/> Foreign Producer	<input type="checkbox"/> Association	<input type="checkbox"/> Other	

**HEAD OFFICE**

**CONTACT PERSON**

--

Address

--

Name and Corporate Title

--

Telephone

--

Fax

--

Telephone

--

Fax

15. If you are making any customer-specific allegations of lost sales, lost accounts, price reductions or price concessions in response to question 21 of this questionnaire, please provide the following **public** details from confidential Schedule III (p. 13). Please make copies of the following table and complete one table for **each** injury allegation made in response to question 21.

Please ensure that this public summary is correlated to each confidential allegation in Schedule III through the use of the same allegation number.

**ALLEGATION NO.:**

<b>Domestic Producer's Offer</b>		<b>Competitor's Offer</b>	
Nature of Allegation <sup>1</sup>	<input type="text"/>	Source of Product <sup>2</sup>	<input type="text"/>
Product Description	<input type="text"/>	Product Description	<input type="text"/>
Date of Transaction	<input type="text"/>		

1. For example, loss of sales volume, lost account, price suppression and/or price erosion.
2. Country of export.

## CONFIDENTIAL INFORMATION

**Note: Information requested in this part is considered to be confidential in nature and will be treated as such, in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*.**

COMPANY NAME:

## PRODUCTION AND IMPORTS

16. Please complete Schedule I (p. 11) showing your production and imports. You are also required to provide an estimate of other and total Canadian production as well as an estimate of the Canadian imports which have entered Canada and have been cleared by Canada Customs. See **Step 2—Answering the Questionnaire** (p. i) for potential sources of data. Do not include your own production and imports in your estimates of other Canadian production or imports.

17. Please describe if there has been a significant increase in the importation into Canada of the goods from China, either in absolute terms or relative to the production in Canada of like goods.

18. Please describe the effect of the imported goods on the prices of like goods in Canada, including:

- (i) whether the prices of the goods imported into Canada from China have significantly undercut the prices of like goods produced and sold in Canada, and
- (ii) whether the effect of the importation into Canada of the goods from China has been to:
  - depress significantly the prices of like goods produced and sold in Canada, or
  - limit to a significant degree increases in the prices of like goods produced and sold in Canada.

**SALES**

19. Please complete Schedule II (p. 12) showing your sales in Canada. You are also required to provide an estimate of total sales in Canada by other Canadian producers.

**NEGATIVE EFFECTS**

20. With respect to your firm, have there been any actual negative effects (or do you expect any potential negative effects) on any of the following factors as a result of imports from China of the product subject to this complaint?

	<u>Negative effects?</u>	
	Yes	No
Return on Investment	<input type="checkbox"/>	<input type="checkbox"/>
Growth	<input type="checkbox"/>	<input type="checkbox"/>
Ability to Raise Capital	<input type="checkbox"/>	<input type="checkbox"/>
Cash Flow	<input type="checkbox"/>	<input type="checkbox"/>
Wages	<input type="checkbox"/>	<input type="checkbox"/>

Other Relevant Factors (specify)

Describe the nature of any negative effects identified above and explain why they were the result of imports from China of the product subject to this complaint. Please provide documentary substantiation to the extent available.



## INJURY ALLEGATIONS

21. According to the Tribunal’s guidelines on the treatment of confidential information, “[d]omestic producers are under no obligation to provide this type of information and, while it may be helpful in certain cases, it is not essential to the conduct of an injury inquiry or a review.” However, where a party decides to submit customer-specific injury allegations, the Tribunal “is interested in quality rather than quantity.”

Having regard to the foregoing, if you wish to make customer-specific injury allegations for which you consider that imports from China of the product subject to this complaint have caused you to:

- lose accounts,
- lose some sales to an account (but not the whole account), and/or
- reduce or suppress prices to retain sales,

please provide the information requested in Schedule III (p. 13). These allegations should be detailed, concrete, substantiated and verifiable. However, they should be limited to a small sample (e.g. 10 to 20) and be reasonably representative or illustrative of the nature of the injury that is being alleged.

**Notes:**

- a) Any customer-specific injury allegations that are not submitted in response to this question will not be accepted at a later date, whether by way of written submissions or witness statements or during the hearing, unless the Tribunal is persuaded that there are compelling reasons for doing so.
- b) In accordance with the Tribunal’s guidelines on the treatment of confidential information, some of the factors included in your injury allegations are considered by the Tribunal to be **public** in nature. These factors are indicated in Schedule III by the letter “**P**”. Accordingly, you are required to complete question 15, p. 7 in the public section of this questionnaire.
- c) Further, some of the factors in your confidential response to Schedule III (p. 13) may be subject to “limited disclosure” to the party against whom you are making the allegation. These factors are indicated in Schedule III by the letters “**LD**”. (To facilitate and expedite any “limited disclosure”, you are invited to prepare, when you complete the questionnaire, a “limited disclosure” version of these allegations. This version is not to be included in reply to this questionnaire, but would be given, by you or your counsel, to a party requesting the “limited disclosure” after the party filed a confidentiality undertaking with the Tribunal.)

**SCHEDULE I**

**PRODUCTION AND IMPORTS**

(units of volume)

	Last Three Full Calendar Years			Interim <sup>1</sup>	
	1st Year	2nd Year	3rd Year	Last Year	Current Year
<b>YOUR ACTIVITIES</b>					
Production Volume <sup>2</sup>					
<b>Volume of Imports<sup>3</sup> from</b>					
China					
The Rest of the World					
<b>ESTIMATES FOR OTHER CANADIAN PRODUCTION AND IMPORTS<sup>4,5</sup></b>					
Production Volume					
<b>Volume of Imports from</b>					
China					
The Rest of the World					
<b>TOTAL</b>					
Production Volume					
<b>Volume of Imports from</b>					
China					
The Rest of the World					

**Notes:**

1. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.
2. Include all production (including production for domestic and export sales, sales to affiliated companies and production for internal consumption).
3. Report **only** imports which **originated** from China or the rest of the world and which have entered Canada for which you were the **importer of record** for customs purposes. Thus imported goods purchased from non-resident importer or supplier that is the importer of record should be excluded.
4. If not from a public source, produce an estimate with supporting documentation.
5. **Do not include** your own production and imports in your estimates.

**SCHEDULE II**

**SALES**

**(units of volume)**

Last Three Full Calendar Years			Interim <sup>1</sup>	
1st Year	2nd Year	3rd Year	Period Covered	
1st Year	2nd Year	3rd Year	Last Year	Current Year

**YOUR ACTIVITIES**

Volume of Domestic Sales from Domestic Production

--

**ESTIMATES FOR OTHER CANADIAN PRODUCERS<sup>2,3</sup>**

Volume of Domestic Sales from Domestic Production

--

**TOTAL SALES VOLUME FROM DOMESTIC PRODUCTION**

**Notes:**

1. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.
2. If not from a public source, produce an estimate with supporting documentation.
3. **Do not include** your own sales in your estimates.

**SCHEDULE III**

**MAJOR ACCOUNTS LOST OR PORTION OF ACCOUNTS LOST AND/OR PRICES REDUCED OR SUPPRESSED FOR THE PRODUCT SUBJECT TO THIS COMPLAINT**

**Allegation No.:**<sup>1</sup>

**Name of Account:** (LD)

**Address:** (LD)

**Trade Level:** (LD)

**Domestic Producer's Offer**

**Competitor's Offer**

Nature of the Alleged Injury<sup>2</sup> (P)

Product Description (P)

Date of Transaction (P)

Volume Offered (units of volume)

Volume Sold (units of volume)

Price Offered

Transaction Price

Name of Competitor (LD)

Product Description (P)

Source of Product<sup>3</sup> (P)

Volume Offered (LD) (units of volume)

Volume Sold (LD) (units of volume)

Price Offered (LD)

Transaction Price (LD)

**Notes:**

1. Please make copies of this table and complete one table for **each** injury allegation made; number each page consecutively with a separate allegation number.
  2. Accounts which were lost or for which you believe imports of the product subject to this complaint caused a loss of sales volume and/or a reduction in prices.
  3. Country of export.
- (P) - These factors are considered public. Accordingly, you are required to complete question 15, p. 7 in the public section of this questionnaire.
- (LD) - These factors are subject to "limited disclosure" to the party against whom you are making the allegation.

**Completion of this part is optional at the time of filing of complaint. However, if the Tribunal decides to commence an inquiry, you will be asked to provide this information. If you choose to complete Part C now, you will not have to resubmit the same information at a later stage of the process.**

**PRODUCTION, IMPORTS, SALES, INVENTORIES AND CAPACITY**

22. Please report your production, imports, sales, inventories and capacity of the product subject to this complaint as requested in Schedule IV (p. 17).

23. Please describe the method used to value the above inventories. Were there any changes in the method of valuation over the periods shown in the above response? Also, were there any major write-downs of inventory over the period?

24. Please explain in detail the method used to determine the practical plant capacity as reported in your response to question 22. Where capacity has increased, please explain how this was achieved (i.e. purchase of new equipment, new production process, change in plant layout).

25. Does your company have any plans to expand, curtail or shut down production capacity and/or production of the product subject to this complaint in Canada in the next three years?

Yes  No

If yes, please describe those plans, including target dates and capacity/production quantities, and the plants involved, and the reasons for the change.

**FINANCIAL**

26. Please submit audited financial statements for your firm for the last three full fiscal years. If audited statements are not normally prepared, please forward the equivalent unaudited statements.

27. Please complete the income statement for the product subject to this complaint in Schedule V (p. 20) and the statement of cost of goods manufactured in Schedule VI (p. 22). These statements are to be prepared using a full absorption costing method, and results are to be shown separately for:
- the product subject to this complaint produced and sold domestically
  - the product subject to this complaint produced domestically and exported
  - total operations

28. Please describe your methods of allocating expenses to the product subject to this complaint. For each item of expense for which an allocation was required, describe exactly how the allocation was made, why it was reasonable to allocate that expense in this manner, and whether the method was applied consistently in each time period.

**Expense Item**  
**Allocation Method Used**  
  
**Why Method is Reasonable**  
  
**Used for All Periods (Y/N)?**

--

(Use additional pages as necessary).

29. Please complete Schedule VII (p. 24) giving the annual average unit costs of each of the major material components over the years for the last three full years. In the last column, please provide the percentage of the total cost of direct materials represented by each material component for the last full year.

## FORECASTS

30. Please provide any documents, plans, forecasts, market analyses or other information setting out your firm's strategies and objectives, for this calendar year and the next two calendar years, concerning the product subject to this complaint and other products made on the same production equipment, with respect to the following factors:

- production
- domestic sales from production
- market size and growth
- market share for your firm
- price levels
- financial performance
- export sales
- any change in product mix of production and sales
- capacity and utilization levels
- investments

Please provide the rationale and assumptions underlying these plans and forecasts, and indicate whether they were prepared internally or by an outside consultant.

**Note:** These specific plans and forecasts may already be in the form of “business plans” or equivalent used by your firm. If these types of documents are readily available, you may submit them in lieu of the above. However, if no formal forecast documents exist, provide your company's best estimates with regard to the above-mentioned factors.

You are **not** required to provide your firm's plans and forecasts dealing with products or activities **other than** the product subject to this complaint and other products made on the same production equipment.

**SCHEDULE IV**

**PRODUCTION, IMPORTS, SALES, INVENTORIES AND CAPACITY**

**Last Three Full Calendar Years**

**Interim<sup>1</sup>**

				<b>Period Covered</b>	
<b>1st Year</b>	<b>2nd Year</b>	<b>3rd Year</b>	<b>Last Year</b>	<b>Current Year</b>	

**YOUR ACTIVITIES**

Production Capacity<sup>2</sup> (units of volume)

Production Volume<sup>3</sup> (units of volume)

Capacity Utilization (%)

Utilization Rate (%)

Beginning Inventories (units of volume)

Beginning Inventories (\$000)

**Domestic Sales from Domestic Production<sup>4,5</sup>**

Volume of Commercial Sales from

Production (units of volume)

Net Delivered Value of Commercial Sales from

Production (\$000)

Average Unit Value (\$/unit)

Delivery Cost (%)

**Notes:**

1. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.
2. This is the greatest level of output from the machinery and equipment used in the production of each of the products subject to this complaint that your plant can achieve on a continuous basis within the framework of a realistic work pattern.
3. Include all production (including production for domestic and export sales, sales to affiliated companies and production for internal consumption).
4. For all commercial sales, the net delivered value is the sales value, net of cash, quantity or deferred discounts, allowances and taxes. However, it includes delivery costs (freight, handling and insurance) paid by your firm and included in the selling price or an estimate of the delivery costs incurred by the purchaser when the goods are purchased on an FOB basis.
5. Include all transfers to affiliated companies reported in question 7.



**SCHEDULE IV (continued)**

**PRODUCTION, IMPORTS, SALES, INVENTORIES AND CAPACITY**

	Last Three Full Calendar Years			Interim <sup>1</sup>	
				Period Covered	
	1st Year	2nd Year	3rd Year	Last Year	Current Year
<b>YOUR ACTIVITIES</b>					
Export Sales <sup>6</sup> Volume (units of volume)					
Export Sales Value (\$000)					
Average Unit Value (\$/unit)					
Delivery Cost (%)					
Ending Inventories (units of volume)					
Ending Inventories (\$000)					
<b>Imports<sup>7,8</sup> from</b>					
<b>China</b>					
Volume (units of volume)					
Net Delivered Purchase Value (\$000)					
Average Unit Value (\$/unit)					
Delivery Costs (%)					
<b>The Rest of the World</b>					
Volume (units of volume)					
Net Delivered Purchase Value (\$000)					
Average Unit Value (\$/unit)					
Delivery Costs (%)					

**Notes:**

6. Export sales should include sales to affiliated companies.
7. Report **only** imports which **originated** from China or the rest of the world and which have entered Canada and for which you were the **importer of record**.
8. For **imports**, the net delivered purchase value is the laid-in cost net of cash, quantity or deferred discounts, allowances and taxes, but **including** all import costs such as customs and other duties, brokerage fees and delivery costs (freight, handling and insurance) to your warehouse. The net delivered purchase value should be stated in Canadian dollars as declared for Customs purposes.

**SCHEDULE IV (continued)**

**PRODUCTION, IMPORTS, SALES, INVENTORIES AND CAPACITY**

	Last Three Full Calendar Years			Interim <sup>1</sup>	
	Period Covered				
	1st Year	2nd Year	3rd Year	Last Year	Current Year
<b>YOUR ACTIVITIES</b>					
<b>Sales from Imports<sup>9,10</sup> from</b>					
<b>China</b>					
Volume of Sales (units of volume)					
Net Delivered Value of Sales (\$000)					
Average Unit Value (\$/unit)					
Delivery Costs (%)					
<b>The Rest of the World</b>					
Volume of Sales (units of volume)					
Net Delivered Value of Sales (\$000)					
Average Unit Value (\$/unit)					
Delivery Costs (%)					

**Notes:**

9. For all commercial sales, the net delivered value is the sales value, net of cash, quantity or deferred discounts, allowances and taxes. However, it includes delivery costs (freight, handling and insurance) paid by your firm and included in the selling price or an estimate of the delivery costs incurred by the purchaser when the goods are purchased on an FOB basis.
10. Include all transfers to affiliated companies reported in question 7.

**SCHEDULE V**

**INCOME STATEMENT FOR THE PRODUCT SUBJECT TO THIS COMPLAINT AND ALL PRODUCTS**

(\$000)

Fiscal Year Ending Month:

	1st Year			2nd Year			3rd Year		
	DC	E	T	DC	E	T	DC	E	T
Volume of Sales ( <input style="width: 80px;" type="text"/> units of volume)	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>								
Gross Sales									
Discounts, etc.									
Net Sales									
Cost of Goods Sold:	<div style="border: 1px solid black; height: 200px; width: 100%;"></div>								
Beginning Inventory									
Plus: Cost of Goods Manufactured									
Less: Ending Inventory									
Cost of Goods Sold									
Gross Margin	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>								
General, Selling and Administrative Expenses									
Financial Expenses									
Operating income									

- DC - Product subject to this complaint **sold from domestic production for domestic consumption.**  
 E - Product subject to this complaint **sold from domestic production for export.**  
 T - Total results for all products **sold** by your company, including, but not limited to the product subject to this complaint.

**Note:**

The above figures (including sales volumes) should be based on the same fiscal year regularly used by the company in reporting its financial results. The results for total operations (T) should correspond to those reported in the company's audited financial statements. Please attach working papers and supporting source documents (or summary reports) used in the preparation of the results for domestic and export sales for the third year. If the methods differed significantly for earlier years, also provide working papers and source documents for those years. Please indicate on the completed schedule that the income statement is prepared using a full absorption costing method and also indicate whether the company regularly uses full absorption costing in reporting its financial results.

**SCHEDULE V (continued)**

**INCOME STATEMENT FOR THE PRODUCT SUBJECT TO THIS COMPLAINT AND ALL PRODUCTS**

(\$000)

Fiscal Year Ending Month:

Interim<sup>1</sup>:

	Last Year			Current Year		
	DC	E	T	DC	E	T
Volume of Sales ( <input )<="" style="width: 80px; height: 15px;" td="" type="text" value="units of volume"/> <td colspan="6" rowspan="3" style="border: 1px solid black; height: 100px;"></td>						
Gross Sales						
Discounts, etc.						
Net Sales						
Cost of Goods Sold:						
Beginning Inventory						
Plus: Cost of Goods Manufactured						
Less: Ending Inventory						
Cost of Goods Sold						
Gross Margin						
General, Selling and Administrative Expenses						
Financial Expenses						
Operating Income						

**Note:**

1. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.

**SCHEDULE VI**

**COST OF GOODS MANUFACTURED FOR THE PRODUCT SUBJECT TO THIS COMPLAINT AND ALL PRODUCTS**

(\$000)

Fiscal Year Ending Month:

**Last Three Full Calendar Year**

	1st Year			2nd Year			3rd Year		
	DC	E	T	DC	E	T	DC	E	T
Volume of Goods Produced <sup>1</sup> <input style="width: 80px;" type="text"/> (units of volume)									
Beginning Inventory of Goods in Process									
Direct Materials Used									
Direct Labour									
Factory Overhead									
Less: Ending Inventory of Goods in Process									
Actual Cost of Goods Manufactured									

DC - Product subject to this complaint **produced from domestic production for domestic consumption.**

E - Product subject to this complaint **produced from domestic production for export.**

T - Total results for all products produced by your company, including, but not limited to the product subject to this complaint.

**Note:**

1. Volume of goods produced should be reported for the fiscal year.

**SCHEDULE VI (continued)**

**COST OF GOODS MANUFACTURED FOR THE PRODUCT SUBJECT TO THIS COMPLAINT AND ALL PRODUCTS**

(\$000)

Fiscal Year Ending Month:

Interim<sup>1</sup>:

	Last Year			Current Year		
	DC	E	T	DC	E	T
Volume of Goods Produced ( <input style="width: 80px; height: 15px;" type="text"/> units of volume)	<div style="border: 1px solid black; height: 200px; width: 100%;"></div>					
Beginning Inventory of Goods in Process						
Direct Materials Used						
Direct Labour						
Factory Overhead						
Less: Ending Inventory of Goods in Process						
Actual Cost of Goods Manufactured						

DC - Product subject to this complaint **produced from domestic production for domestic consumption.**

E - Product subject to this complaint **produced from domestic production for export.**

T - Total results for all products produced by your company, including, but not limited to the product subject to this complaint.

**Note:**

1. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.

**SCHEDULE VII**

**AVERAGE UNIT COSTS OF MAJOR MATERIAL COMPONENTS FOR THE PRODUCT SUBJECT TO THIS COMPLAINT**

		Annual Average Unit Costs (\$/unit)						
		Last Three Full Calendar Year			Interim <sup>2</sup> period covered			
		Material	Units	1st Year	2nd Year	3rd Year		
							3rd Year	
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								

**Notes:**

1. Direct materials used for the percentage share calculation should be equal to that reported (as the total for all product categories) in Schedule VI (p. 22).
2. Interim means partial year. If you were to report the first three quarters of this year as the interim period, the interim period for last year would be the corresponding three quarters of last year.