



Ottawa, February 16, 2007

CUSTOMS NOTICE 07-006

Bicycles and Frames From Chinese Taipei and the People's Republic of China

1. This is to state that the re-investigation initiated on June 28, 2006, in accordance with the *Special Import Measures Act* (SIMA), concerning certain bicycles and frames from Chinese Taipei and the People's Republic of China (China), was concluded on December 20, 2006.

2. The re-investigation was part of the Canada Border Services Agency's (CBSA) enforcement of the Canadian International Trade Tribunal's (Tribunal) finding of December 11, 1992. On December 9, 2002, the Tribunal continued its order concerning bicycles, assembled or unassembled, with wheel diameters of 16 inches (40.64 cm) and greater, originating in or exported from Chinese Taipei and China, with an amendment to exclude bicycles with a free on board (FOB) Chinese Taipei or China selling price exceeding CAN\$225, and to exclude bicycles with foldable frames and stems. The Tribunal also continued its order concerning bicycle frames, originating in or exported from the aforementioned countries, with an amendment to exclude bicycle frames with an FOB Chinese Taipei or China selling price exceeding CAN\$50.

3. The subject goods are normally imported into Canada under one of the following 10-digit Harmonized System classification numbers:

8712.00.00.12	8712.00.00.50
8712.00.00.20	8712.00.00.90
8712.00.00.30	8714.91.90.00
8712.00.00.40	

4. The application of normal values and export prices to the subject goods is outlined below:

(a) Where interim normal values for the 2006 model year were found to be significantly understated overall, or could not be verified, all interim normal values for the model year were recalculated and finalized. The finalized values will apply retroactively to all models that were released from customs after September 1, 2005; this may result in additional anti-dumping duties being assessed against the importers of these goods.

(b) Normal values for models of subject goods for which interim normal values have not been established by the CBSA or those goods that have not been clearly

identified on the customs documentation will be determined by advancing the export price of the goods by 64 percent according to a ministerial specification.

(c) The 2007 interim normal values and export prices will normally remain in effect until August 31, 2007. The CBSA will periodically review the interim normal values and finalize them as appropriate. Importers and exporters will be notified at the start of any such review.

5. Importers are advised that if the exporter does not provide a complete and accurate submission as required during a future re-investigation, the finalized 2007 normal values will be based on the best information available. This may result in retroactive assessments of additional dumping duties against the importer as high as 64 percent of the export price for all imports of subject bicycles and frames purchased from that exporter since September 1, 2006. The exporters have been made aware of the need to provide complete and accurate information to the CBSA in future re-investigations.

6. To ascertain their liability for anti-dumping duty, importers should contact the exporters to obtain the applicable interim normal values. For further information on this matter, refer to Memorandum D14-1-2, *Disclosure of Normal Value and Export Price Established Under the Special Import Measures Act to Importers*.

7. Importers are reminded that they are responsible for calculating and declaring their anti-dumping duty liability. If importers are using the services of a customs broker to clear importations, the brokerage firm should be told that the goods are subject to anti-dumping measures and be provided with the information necessary to clear the shipments.

8. If importers do not agree with the CBSA determination on any importation of goods, requests for re-determinations may be filed with the Director General, Anti-dumping and Countervailing Program, Ottawa, Ontario K1A 0L8. These requests must be filed in the form and manner outlined in Memorandum D14-1-3, *Procedures for Making a Request for a Re-Determination or an Appeal of Goods Under the Special Import Measures Act*, and received within 90 days from the date of the determination.

9. Any questions concerning the above should be directed to:

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

Officers' names and telephone numbers:

Brian Hodgson 613-954-7237
E-mail: Brian.Hodgson@cbsa-asfc.gc.ca

Richard Killeen 613-954-7236
E-mail: Richard.Killeen@cbsa-asfc.gc.ca

Facsimile: 613-941-2612