



Ottawa, March 19, 2008

# CUSTOMS NOTICE CN08-011

## Certain Hot-Rolled Steel Plate

1. This notice is to advise that, on February 27, 2008, the Canada Border Services Agency (CBSA) concluded its re-investigation of the normal values and export prices with respect to hot-rolled carbon steel plate and high-strength low-alloy steel plate originating in or exported from the Republic of Bulgaria, the Czech Republic and Romania pursuant to the *Special Import Measures Act* (SIMA).

2. The re-investigation is part of the CBSA's enforcement of the finding made by the Canadian International Trade Tribunal on January 9, 2004.

3. The goods subject to the Tribunal's finding are defined in the attached Appendix.

4. The subject goods are usually classified under one of the following 10-digit 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

5. At the initiation of the re-investigation, the CBSA sent Requests for Information (RFI) to importers and exporters on the production and sales of subject and like goods. The information was requested for the purpose of determining the normal values and export prices for future shipments of subject goods to Canada.

6. A response to the CBSA's exporter RFI was submitted by ArcelorMittal Galati S.A. (ArcelorMittal) from Romania. Over the course of the re-investigation, verification meetings were conducted on ArcelorMittal's premises in Romania. As a result, ArcelorMittal has been provided with updated normal values for certain subject goods released from the CBSA on or after February 27, 2008. All normal values previously in place expired on that date.

7. If ArcelorMittal ships to Canada subject goods for which a specific normal value has not been determined, the normal value will be determined by way of a ministerial specification in the manner described in paragraph 8 below.

8. No other exporters provided information to the CBSA. As a result, normal values for all other exporters in the subject countries will be determined in accordance with a ministerial specification, which is calculated by advancing

the export price of the goods by 74.6%. These normal values are effective for subject goods released from the CBSA on or after February 27, 2008. The normal values previously in place expired on that date.

9. In addition, the normal values determined on the basis of this 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.

10. 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. In addition, when there have been changes to domestic prices, market conditions and/or costs associated with production and sales, the onus is on the concerned parties to advise the CBSA. When changes have occurred and the CBSA has not been advised in a timely manner, the extent of these changes could warrant retroactive assessments of anti-dumping duty.

11. Importers are reminded that it is their responsibility to calculate and declare their anti-dumping duty liability. In order to determine this liability, importers should contact their suppliers, who can provide information on normal values. Under limited circumstances, the CBSA may make this information available to importers. Customs brokers acting on behalf of importers should be advised that goods are subject to anti-dumping action and be provided with sufficient information to clear the shipments. For more information, refer to Memorandum D14-1-2, *Disclosure of Normal Value, Export Price and Amount of Subsidy Established Under the Special Import Measures Act to Importers*, on the CBSA Web site at [www.cbsa.gc.ca](http://www.cbsa.gc.ca).

12. The *Customs Act* applies, with any modifications that the circumstances require, with respect to the accounting and payment of anti-dumping duty. As such, failure to pay this duty within the prescribed time will result in the application of the interest provisions of the Act.

13. Should the importer disagree with the determination made on any importation of goods, a request for re-determination may be filed with the director general, Trade Programs Directorate in Ottawa, Ontario. Such a request must be received within 90 days of the making of the determination 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*, which is available on the CBSA Web site at [www.cbsa.gc.ca](http://www.cbsa.gc.ca).

14. Any questions concerning the above should be directed to the following:

SIMA Registry and Disclosure Unit  
Anti-dumping and Countervailing Program  
Trade Programs Directorate  
Admissibility Branch  
Canada Border Services Agency  
100 Metcalfe Street, 11th Floor  
Ottawa ON K1A 0L8

E-mail: [simaregistry@cbsa-asfc.gc.ca](mailto:simaregistry@cbsa-asfc.gc.ca)  
Facsimile: 613-948-4844

Officers:  
Matthew Lurette  
Telephone: 613-954-7398

Joël Joyal  
Telephone: 613-954-7173

**APPENDIX****Plate V – Product Definition (Republic of Bulgaria, Czech Republic and Romania)**

Subject goods are the following:

“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 5.25 inches (+/-133 mm) inclusive, originating in or exported from the Republic of Bulgaria, the Czech Republic and Romania, excluding plate produced to American Society for Testing & Materials (ASTM) specifications A515 and A516M/A516 Grade 70 in thickness 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).”

The following goods are excluded: hot-rolled carbon steel plate and high-strength low-alloy steel plate in thicknesses greater than 4.0 inches.

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 subject goods are rounded numbers as indicated by the “+/-” symbols.