



Ottawa, August 20, 2014

# Memorandum D15-2-58

## Greenhouse Bell Peppers Originating In or Exported From the Netherlands

### In Brief

This memorandum has been updated to include the additional information section and to update the issuing office.

This memorandum refers to the application of anti-dumping duty, pursuant to section 3 of the [Special Import Measures Act](#) (SIMA), on imports of greenhouse bell peppers originating in or exported from the Netherlands. The duty is applied as a result of the finding of the [Canadian International Trade Tribunal](#) (CITT), pursuant to subsection 43(1) of SIMA, that the dumping of the aforementioned goods is threatening to cause injury to the domestic industry.

### Guidelines and General Information

1. The subject goods are defined as:

“Greenhouse bell peppers originating in or exported from the Netherlands.”

2. Greenhouse bell peppers are greenhouse grown bell peppers of the family solanaceae, species capsicum annum L. A greenhouse is a controllable dynamic system, managed for intensive production of high quality, fresh market produce. Greenhouse production allows for crop production under very diverse conditions. By controlling a number of variables such as air temperature, root zone temperature, vapor pressure deficit, fertilizer feed, carbon dioxide enrichment, selection of growing media, and plant maintenance, the greenhouse growers aim to obtain maximum performance from the crop over the production season. High fruit quality and yield of colored bell peppers are difficult to obtain in open field environments. Therefore, they are usually produced in protected environments such as high passively ventilated greenhouses.
3. Bell peppers are the best known sweet peppers. They are named for their rather bell-like shape. When young, the majority of bell peppers are a rich, bright green, but there are also yellow, orange, red, purple, brown, white and lilac bell peppers. The red bells are simply vine-ripened green bell peppers that, because they have ripened longer, are very sweet. Bell peppers vary from 3½ to 5½ inches long and from 2½ to 4 inches wide.
4. The subject goods include both organic and non-organic greenhouse bell peppers.
5. The dates of the proceedings and finding concerning this case are:

Action	Date
Initiation of Investigation	March 22, 2010
Preliminary Determination	June 21, 2010
Final Determination	September 20, 2010
CITT Finding	October 19, 2010

6. The subject goods are usually classified under the following 10-digit Harmonized System (HS) classification numbers:

0709.60.90.10  
0709.60.90.20

**Note:** This listing of HS numbers is for convenience of reference only. Refer to the product definition for authoritative details regarding the subject goods.

7. Subject goods are sometimes incorrectly classified under the 10-digit HS classification number: 0709.60.90.30.

8. The liability for anti-dumping duty results from the proceedings conducted under SIMA and from the finding made by the CITT. Information regarding the normal values of the subject goods and the amount of anti-dumping payable should be obtained from the exporters. Related information may be made available to importers on a need-to-know basis in accordance with the provisions of [Memorandum D14-1-2, Disclosure of Normal Values, Export Price, and Amounts of Subsidy Established Under the Special Import Measures Act to Importers](#).

9. For importations of the subject goods produced or exported by a company in the Netherlands that has not been issued its own normal values, the anti-dumping duty is 193% taken as a percent of the export price, as determined under section 24, 25 or 29 of SIMA.

### Additional Information

10. For more information, within Canada call the Border Information Service at **1-800-461-9999**. From outside Canada call 204-983-3500 or 506-636-5064. Long distance charges will apply. Agents are available Monday to Friday (08:00 – 16:00 local time / except holidays). TTY is also available within Canada: **1-866-335-3237**.

<b>References</b>	
<b>Issuing Office</b>	Trade and Anti-dumping Programs Directorate
<b>Headquarters File</b>	4214-28
<b>Legislative References</b>	<a href="#">Special Import Measures Act</a> , section 3
<b>Other References</b>	<a href="#">D14-1-2</a>
<b>Superseded Memorandum D</b>	D15-2-58 dated December 22, 2010