



## Memorandum D14-1-2

Ottawa, August 27, 2015

### Disclosure of Normal Values, Export Prices, and Amounts of Subsidy Established Under the *Special Import Measures Act*

#### In Brief

This memorandum is revised to update its content and ensure it is accurate and in accordance with the relevant legislation, regulations and jurisprudence.

This memorandum explains the policy respecting the release of normal values, export prices and amounts of subsidy to importers.

#### Legislation

[\*Special Import Measures Act\*](#), sections 55, 56, 57 and 59

#### Guidelines and General Information

1. Specific normal values and export prices are generally considered to be confidential and are not publicized or available to the general public. The amount of subsidy calculated for specific exporters who have cooperated in a dumping and/or subsidy investigation will normally be provided in the CBSA's public decision documents, which are available on the [CBSA Web site](#).
2. Importers should contact their respective exporters to obtain specific normal values, export prices and, if applicable, the amount of subsidy. However, this information may be released by the CBSA for purposes of:
  - (a) Releasing goods or accounting for goods released

CBSA officers may release normal values, export prices and amounts of subsidy to importers on a need-to-know basis, i.e. to obtain release of a shipment of goods or account for goods previously released.
  - (b) Determining potential liability for provisional duty, anti-dumping duty and countervailing duty on goods in-transit

CBSA officers may provide normal values, export prices and amounts of subsidy to an importer relative to goods, which the importer has purchased and which are in transit.
  - (c) Determining potential liability for provisional duty, anti-dumping duty and countervailing duty on a possible importation

CBSA officers may inform a potential importer whether or not quoted prices will incur provisional duty, anti-dumping duty or countervailing duty. Under no circumstances will a potential importer be given confidential normal values, export prices or the amounts of subsidy if no proof of price offer by the exporter is provided. The importer will only be informed whether or not the prices quoted will incur provisional, anti-dumping or countervailing duty.
3. Requests for normal values, export prices or amounts of subsidy and potential duty liabilities are to be made in writing and accompanied by a proof of purchase, proof that the goods are in-transit, or proof of the price offered by the exporter.

4. For certain goods, such as capital goods, the amount of anti-dumping duty or countervailing duty payable cannot be conclusively established prior to the entry of the goods. In such instances, the CBSA may require access to information relating to actual production costs, as well as other information relevant to determine the normal value, the export price, or the amount of subsidy not normally available or verifiable in advance of importation. Under certain circumstances, the CBSA may provide the exporter and importer with an estimate of the assessment, based on information provided in advance of actual production and shipment. The provision of such an estimate is not to be construed as limiting the CBSA in determining the actual assessment on the goods as provided for in the [Special Import Measures Act](#). Please contact the Enforcement officer assigned to the case, as listed on the [Measures in force](#) Web page, for more information.

### Additional Information

5. 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>	4205-12-7
<b>Legislative References</b>	<a href="#">Special Import Measures Act</a>
<b>Other References</b>	
<b>Superseded Memorandum D</b>	D14-1-2 dated January 21, 2009