

LEI News Letter

Sept. 2005

Non Manufactured Wood Packaging Materials

We wish to remind our clients that effective Sept. 16, 2005, non manufactured wood packaging materials used in shipments destined to Canada must comply with the requirements stipulated by the International Standard for Phytosanitary Measures No. 15 (ISPM15) as advised by the Canadian Food Inspection Agency in their directive D-98-08. Non manufactured wood packaging materials must be marked in an accepted manner by a National Plant Protection Organization (NPPO) indicating the packaging material is in compliance of the requirements. Any packaging material found not to be in compliance of the regulations will be required to be exported. Details of these requirements may be found at - <http://www.inspection.gc.ca/english/plaveg/protect/dir/d-98-08e.shtml>. Please note the United States are implementing the same requirements effective the same date.

Bicycles and Bicycle Frames – Taipei and China

In their Customs Notice 624 the Canada Border Services Agency advises that on July 18, 2005 they initiated a re-investigation pursuant to the Special Import Measures Act (SIMA). “The re-investigation is 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 the People’s Republic of China, with an amendment to exclude bicycles with an FOB selling price exceeding C\$225.00 and 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 People’s Republic of China selling price exceeding C\$50.00. It is anticipated that this re-investigation will conclude on or before January 18, 2006. Notice of the completion of this re-investigation will be published in a Customs Notice.”

“Importers are cautioned that the cost of production information on which the normal values of the 2004-2005 models were based will be verified during the current review. If any of the information provided by the exporters was found to be inaccurate, the normal values will be re-established and the entries re-appraised in light of the new information. This may result in additional dumping duties being assessed against the importer.”

Textured Filament Yarns of Nylon or Polyester

The Canadian International Trade Tribunal gives notice that it is satisfied the request received from Tricots Liesse (1983) Inc. of Montreal, Quebec, is properly documented. The request is for the removal, for an indeterminate period of time, of the customs duty on importations from all countries of synthetic filament yarn, solely of nylon, textured, measuring per single yarn 75 decitex or more but not exceeding 200 decitex, of subheading No. 5402.31, for use in the manufacture of swimwear fabrics or in the manufacture of fabrics of circular knitting machines equipped with more than 100 yarn feeds; and synthetic yarn filament yarn, solely of polyester, textured, measuring per single yarn 150 decitex or more but not exceeding 200 decitex, of subheading No. 5402.33, for use in the manufacture of swimwear fabrics or in the manufacture of fabrics on circular knitting machines equipped with more than 100 yarn feeds (the subject yarns).

The Tribunal will conduct an investigation under section 19 of the Canadian International Trade Tribunal Act into the appropriateness of reducing or removing the customs duty on importations of the subject yarns, which are classified in subheading No. 5402.31 or 5402.33.

The Tribunal's investigation commenced on August 16, 2005 and will be conducted by way of written submissions. To participate in the Tribunal's investigation, the requestor or an interested party must file with the tribunal a notice of appearance in Form I of the Textile Reference Guidelines on or before September 6, 2005. The Tribunal's recommendations to the Minister of Finance are scheduled to be issued by December 14, 2005. Submissions to the Tribunal may be written in English or in French. All correspondence should be addressed to:

The Secretary
Canadian International Trade Tribunal
Standard Life Centre
333 Laurier Avenue West
15th Floor
Ottawa, ON K1A 0G7
Ph: (613) 993-4717
Fax: (613) 990-2439
E-mail: secretary@citt-tcce.gc.ca

Waterproof Rubber Footwear – China

The Canadian International Trade Tribunal (CITT), under the provisions of subsection 76.01(1) of the Special Import Measures Act, has conducted an interim review of its order made on October 18, 2002 in Expiry Review No. RR-2001-005 concerning certain waterproof footwear originating in or exported from the People's Republic of China.

Pursuant to subsection 76.01(5) of the Special Import Measures Act, the CITT hereby amends its order made on Oct. 18, 2002 to exclude steel-studded over the shoe rubbers.

Certain Outdoor Barbeques – Safeguard Inquiry

With reference to Safeguard Inquiry No. CS-2005-01, relating to certain outdoor barbeques originating in or exported from China, a notice regarding the hearing procedures and other matters is available on the CITT website at: www.citt-tcce.gc.ca/safeguar/maring/notices/cs2f01b_e.asp.

Fuel Recovery Charge – 4th Quarter 2005

The major trans-pacific shipping lines of the Canada Transpacific Stabilization Agreement (CTSA) have announced the Fuel Recovery Charge will be adjusted to the following levels for the 4th quarter of 2005;

US\$345.00 per 20 ft. container
US\$455.00 per 40 ft. container
US\$510.00 per 40 ft. high cube container
US\$580.00 per 45 ft. container
US\$ 10.00 per W/M

Should you have any questions regarding any of the above issues, please contact your nearest LEI office for assistance.