



Ottawa, Thursday, July 25, 1991

IN THE MATTER OF a request made under subsection 76(2) of the *Special Import Measures Act* for a review of the review finding made by the Canadian Import Tribunal on December 23, 1986, in Review No. R-8-86, continuing without amendment the finding of material injury made by the Anti-dumping Tribunal on May 14, 1984, in Inquiry No. ADT-5-84, respecting:

**ALPINE SKI POLES OF ALUMINUM ALLOY
ORIGINATING IN OR EXPORTED FROM
FRANCE AND ITALY**

DECISION

On April 22, 1991, the Canadian International Trade Tribunal issued a notice of expiry (LE-91-001) requesting views on whether the aforementioned review finding should be reviewed. Having considered representations both for and against a review of the review finding, the Tribunal has decided, pursuant to subsection 76(3) of the *Special Import Measures Act*, that a review, on the basis of the submissions presented, is not warranted at this time.

W. Roy Hines

W. Roy Hines
Presiding Member

Kathleen E. Macmillan

Kathleen E. Macmillan
Member

Sidney A. Fraleigh

Sidney A. Fraleigh
Member

Michel P. Granger

Michel P. Granger
Acting Secretary



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STATEMENT OF REASONS

BACKGROUND

The Canadian International Trade Tribunal (the Tribunal), in a notice of expiry (LE-91-001) dated April 22, 1991, gave notice that the review finding made by the Canadian Import Tribunal on December 23, 1986, in Review No. R-8-86, continuing without amendment the finding of material injury made by the Anti-dumping Tribunal on May 14, 1984, in Inquiry No. ADT-5-84, with respect to alpine ski poles of aluminum alloy originating in or exported from France and Italy, was scheduled to expire on December 22, 1991. Interested parties including domestic producers, importers and exporters were invited to file submissions addressing, with respect to the subject goods: the likelihood of dumping if the finding were allowed to expire; the likely volumes and prices of dumped imports; the domestic industry's performance since the finding, including levels and trends in its production, sales, market shares and profit; and the likelihood of material injury to the domestic industry from dumping.

Ski poles form an integral part of a downhill skier's equipment allowing the skier to maintain balance, control and speed. The major component of the subject alpine ski poles is the aluminum shaft, which is manufactured in various alloy grades and may be welded or seamless. The shaft is tapered by a machine process and then cut to the desired length. The shafts are finished in either a brushed (sanded), epoxy or anodized finish, with cosmetics applied through a silk-screening process. The final step is the assembly of grips and baskets.

The Tribunal has considered a submission to review and continue the finding presented by REACTION Sports Equipment Inc. (REACTION Sports), one of the two Canadian producers of the subject goods. The other Canadian producer, TOP Sports Inc. (TOP Sports), submitted that there was no need for the continuation of the finding. TOP Sports was a complainant in the 1984 Anti-dumping Tribunal inquiry, and the only Canadian manufacturer at the time of the 1986 review by the Canadian Import Tribunal. REACTION Sports participated in the 1986 review as a prospective manufacturer. REACTION Sports alleged that exporters in France and Italy were planning to re-enter the Canadian market in 1992 with considerable volumes, and with unusually low prices. It suggested that firms in France and Italy were prepared to ship ski poles through another country to avoid Canadian anti-dumping duties.

A major importer of the subject goods, Skis Rossignol Canada Ltd. (Skis Rossignol), made a submission opposing the review and the continuation of the finding.

Skis Rossignol argued that one of the originators of the anti-dumping complaint in 1984 had ceased production in Canada in favor of importing its ski poles from Germany. It also stated that imports from Germany and Austria had greatly increased since the finding, as had imports from France and Italy, the two subject countries. Skis Rossignol contended that this was evidence of the inability of Canadian manufacturers to produce quality poles of the type made by France and Italy. The current economic situation was also cited as responsible for a decrease in overall market demand, affecting importers and domestic producers alike.

REASONS FOR THE DECISION

When considering a request to review a finding, subsection 76(3) of the *Special Import Measures Act* requires that the Tribunal must be satisfied, on the basis of the information available, that a review is warranted.

The Tribunal has reviewed carefully the documentation provided by REACTION Sports to support its allegations of dumping from Italy and France if the finding were allowed to expire and does not find it to be sufficient to undertake a review of the finding. For the Tribunal to consider this question, a relatively broad range of information is required. Examples of the kinds of information needed include data on the activities of French and Italian exporters in their own and other markets from which a conclusion could be drawn. Mere allegations do not provide an adequate basis to address the question of dumping in a review.

Even if the submission had satisfied the need for meaningful information on dumping, to initiate a review, the Tribunal needs a basis to assess the likelihood of material injury resulting from the dumping. REACTION Sports' submission described in general terms trends in production and prices since the finding. In the absence of data such as volumes and values of production, and financial and market information, the Tribunal does not consider that it has sufficient information to determine that a review is warranted.

Since the only party requesting a review to continue the finding has not provided sufficient information to justify the initiation of a review and, in particular, has not substantiated its allegations, the Tribunal is not satisfied, at this time, that a review of that finding is warranted.

W. Roy Hines

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