



BY ELECTRONIC MAIL

December 18, 2007

To: Counsel and parties on the attached distribution list

Subject: Preliminary Determination on Like Goods and Classes of Goods
Oil and Gas Well Casing (Inquiry No.: NQ-2007-001)

On October 12, 2007, the Canadian International Trade Tribunal (the Tribunal) determined that there was evidence that disclosed a reasonable indication that the dumping and subsidizing of the subject goods had caused injury to the domestic industry (File No. PI-2007-001).

In its statement of reasons issued on October 26, 2007, the Tribunal stated that, in view of the evidence on the record, seamless oil and gas well casing produced by the domestic industry was "like goods" to the subject goods. The Tribunal noted that whether there was merit to expand the definition of the "like goods" to include electric resistance welded (ERW) oil and gas well casing was an issue that would need to be fully addressed in the context of an inquiry under section 42 of the *Special Import Measures Act (SIMA)* if the Canada Border Services Agency (CBSA) concluded in its preliminary determination that the subject goods had been dumped or subsidized. The Tribunal further stated that high-strength and low-strength oil and gas well casing constituted a single class of goods. However, it also noted that whether high-strength and low-strength oil and gas well casing constitute two separate classes of goods was another issue that would have to be fully addressed in the context of this inquiry.

Accordingly, in the Notice of Commencement of Inquiry of November 13, 2007, the Tribunal invited interested parties to file submissions on whether there was merit to expand the scope of "like goods" to include ERW oil and gas well casing, as well as on whether there was merit in creating two or more distinct classes of goods.

After having considered the evidence on the record and the arguments made by parties, the Tribunal has determined that high-strength and low-strength oil and gas well casing constitute a single class of goods. The Tribunal has also determined that ERW oil and gas well casing is like goods to seamless oil and gas well casing.

The Tribunal will therefore conduct its injury analysis on the basis of a single class of goods. The Tribunal will also determine what constitutes the domestic industry and conduct its injury analysis on the basis that domestically-produced like goods include seamless and ERW oil and gas well casing.

The reasons for these determinations will form part of the Tribunal's statement of reasons for

the inquiry.

The Tribunal also wishes to inform the CBSA that, as a result of this determination, it no longer needs to collect information on the dumping and subsidizing of oil and gas well casing separated into high-strength and low-strength categories, as was requested by the Tribunal in its letter of October 22, 2007.

Yours sincerely,

Hélène Nadeau
Secretary

c.c.: Ms. Caterina Ardito-Toffolo, CBSA