



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER

Inquiry No. NQ-2008-002

Thermoelectric Containers

*Order issued
Wednesday, October 1, 2008*

IN THE MATTER of an inquiry, pursuant to section 42 of the *Special Import Measures Act*, respecting thermoelectric containers that provide cooling and/or warming with the use of a passive heat sink and a thermoelectric module, excluding liquid dispensers, originating in or exported from the People's Republic of China.

ORDER

WHEREAS the Canadian International Trade Tribunal (the Tribunal) is required, pursuant to section 42 of the *Special Import Measures Act*, to make inquiry as to whether the dumping and subsidizing of the aforementioned goods have caused injury or retardation or are threatening to cause injury to the domestic industry;

AND WHEREAS, based upon information available to the Tribunal, it appears that Superex Canada Ltd. (Superex) is a significant importer of the goods that are the subject of the Tribunal's inquiry;

AND WHEREAS Superex is refusing to provide information requested by the Tribunal in its questionnaire request;

AND WHEREAS the Tribunal considers such information to be relevant and important to the conduct of its inquiry;

AND WHEREAS, pursuant to subsection 17(2) of the *Canadian International Trade Tribunal Act*, the Tribunal has, as regards the production and inspection of documents, the enforcement of its orders and other matters necessary or proper for the due exercise of its jurisdiction, all such powers, rights and privileges as are vested in a superior court of record;

UPON the Tribunal's own motion;

AND UPON being satisfied that Superex has or is likely to have information in its possession or control relevant to the Tribunal's inquiry;

THE TRIBUNAL ORDERS THAT:

1. A duly authorized representative of Superex shall make and deliver to the Tribunal a written return of information under oath or solemn affirmation in fulfilment of the information requirements listed in the attached schedule.

2. Unless Superex attends before the Tribunal **before October 7, 2008**, and satisfies the Tribunal that this order should not have been issued or that the required information cannot reasonably be provided, the required information is to be received no later than close of business (5:00 p.m. Eastern Time) **on October 10, 2008**, at the office of the Secretary of the Tribunal at the following address:

The Secretary
Canadian International Trade Tribunal
Standard Life Centre
333 Laurier Avenue West
15th Floor
Ottawa, Ontario
K1A 0G7

3. The information provided by Superex in fulfilment of the information requirements listed in the attached schedule may be designated as confidential by Superex in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*.

Ellen Fry
Ellen Fry
Presiding Member

Diane Vincent
Diane Vincent
Member

Pasquale Michaele Saroli
Pasquale Michaele Saroli
Member

Hélène Nadeau
Hélène Nadeau
Secretary

SCHEDULE

Information Required

A complete response to the Tribunal's Importers' Questionnaire for Inquiry No. NQ-2008-002 (Thermoelectric Containers).

The Importers' Questionnaire can be downloaded from the Tribunal's Web site at www.citt-tcce.gc.ca/doc/english/dumping/inquiries/orders/nq2i02a1_e.pdf.