



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER

Inquiry No. NQ-2009-003

Hot-rolled Carbon Steel Plate and
High-strength Low-alloy Steel Plate

*Order issued
Wednesday, December 9, 2009*

IN THE MATTER of an inquiry, pursuant to section 42 of the *Special Import Measures Act*, respecting hot-rolled carbon steel plate and high-strength low-alloy steel plate not further manufactured than hot-rolled, heat-treated or not, in cut lengths in widths from 24 inches (610 mm) to 152 inches (3,860 mm) inclusive and in thicknesses from 0.187 inch (4.75 mm) up to and including 3.0 inches (76.0 mm) inclusive (with all dimensions being plus or minus allowable tolerances contained in the applicable standards, e.g. ASTM standards A6/A6M and A20/A20 M), originating in or exported from Ukraine; excluding universal mill plate, plate for use in the manufacture of pipe and plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate).

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 of the aforementioned goods has caused injury or retardation or is threatening to cause injury to the domestic industry;

AND WHEREAS, based upon information available to the Tribunal, it appears that Russel Metals Inc. (Russel Metals) is, as a service centre, a domestic producer of hot-rolled carbon steel plate and high-strength low-alloy steel plate (carbon steel plate) by cutting to length plate from plate coils;

AND WHEREAS Russel Metals has been requested, as a service centre, to complete a Producers' Questionnaire;

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 Russel Metals 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 Russel Metals 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 Russel Metals attends before the Tribunal **before Wednesday, December 16, 2009**, 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 noon (Eastern Time) **on Friday, December 18, 2009**, 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 Russel Metals in fulfilment of the information requirements listed in the attached schedule may be designated as confidential by Russel Metals in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*.

Ellen Fry

Ellen Fry
Presiding Member

Serge Fréchette

Serge Fréchette
Member

Stephen A. Leach

Stephen A. Leach
Member

Dominique Laporte

Dominique Laporte
Secretary

SCHEDULE

Information Required

You are required to reply to all the questions in the Producers' Questionnaire and their related schedules. For most of the information requested, please note, as indicated below, that you need to provide information for "Total Carbon Steel Plate" only and not for the different categories of carbon steel plate (structural, high-strength low-alloy and pressure vessel quality).

More precisely, you are to reply to the Producers' Questionnaire as follows:

- Part I: Questions 1 to 23, in full;
- Part II: Questions 24 and 25, in full, and related Schedules I and II;
- Part III: Questions 26 to 43 and related Schedules III to XI, for D. Total Carbon Steel Plate only. Please note that in reply to Question 38, you are to provide the regional distribution of sales volume of carbon steel plate produced (not imported) by your firm;
- Part III: Question 44 and related Schedules XII and XIII for Total Carbon Steel Plate only;
- Part III: Question 45, in full;
- Part III: Questions 46 and 47, and related Schedules XIV and XV for D. Total Carbon Steel Plate only;
- Part III: Question 48 and related Schedule XVI, in full; and
- Part III: Questions 49 to 54, in full.

Please note that you have already submitted some of the information requested in the Producers' Questionnaire as part of your reply to the Importers and Service Centres' Questionnaire. This information can be copied as follows in your reply to the Producers' Questionnaire:

- your sales by distribution channels from Question 30 can be transferred to Question 37;
- your domestic purchases and sales from domestic purchases from Schedule I can be transferred to Schedule V;
- your imports from Schedules II and III can be transferred to Schedules VI and VII;
- your production of cut-to-length plate from plate coils from Schedule IV can be transferred to Schedule III;
- your sales from Schedule V can be transferred to Schedule VIII;
- your inventories from Schedule VI can be transferred to Schedule X; and
- your sales of benchmark products from Schedule VII can be transferred to Schedule XVI.

Additional Request for Information

In addition to providing your reply to the Producers' Questionnaire, the Tribunal requires that you update your information with respect to production, imports, domestic and export sales, inventories, capacity, capacity utilization, employment, hours worked and wages, and average unit cost of major materials used in the production of carbon steel plate, by completing the tables attached to this schedule for the period from July 1 to October 31, 2008, and the corresponding period in 2009.