



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER

Inquiry No. NQ-2009-002

Mattress Innerspring Units

*Order issued
Monday, October 19, 2009*

Canada

IN THE MATTER of an inquiry, pursuant to section 42 of the *Special Import Measures Act*, respecting mattress innerspring units, with or without edge guards, used in the manufacture of innerspring mattresses originating in or exported for 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 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 Sealy Canada Ltd. (Sealy) is an importer of the goods that are the subject of the Tribunal's inquiry;

AND WHEREAS Sealy is refusing to provide information requested by the Tribunal in its 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 Sealy 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 Sealy 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 Sealy attends before the Tribunal on **October 20, 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 close of business (5:00 p.m. Eastern Time) **on October 20, 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 Sealy in fulfilment of the information requirements listed in the attached schedule may be designated as confidential by Sealy in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*.

Serge Fréchette
Serge Fréchette
Presiding Member

Ellen Fry
Ellen Fry
Member

André F. Scott
André F. Scott
Member

Dominique Laporte
Dominique Laporte
Secretary

SCHEDULE

Information Required

You are requested to reply to:

Company Name: _____

IMPORTS OF MATTRESS INNERSPRING UNITS BY COIL TYPE

| | 2006 | 2007 | 2008 | <u>January 1 – June 30 2008</u> | <u>January 1 – June 30 2009</u> |
|---|-------|-------|-------|---|---|
| Net Delivered Purchase Value of Imports by Coil Type¹ (\$000) | | | | | |
| Originating in: China | | | | | |
| Bonnell or Open Coil | _____ | _____ | _____ | _____ | _____ |
| Offset Coil | _____ | _____ | _____ | _____ | _____ |
| Pocket or Marshall Coil | _____ | _____ | _____ | _____ | _____ |
| Continuous Coil | _____ | _____ | _____ | _____ | _____ |
| Originating in: United States | | | | | |
| Bonnell or Open Coil | _____ | _____ | _____ | _____ | _____ |
| Offset Coil | _____ | _____ | _____ | _____ | _____ |
| Pocket or Marshall Coil | _____ | _____ | _____ | _____ | _____ |
| Continuous Coil | _____ | _____ | _____ | _____ | _____ |
| Originating in: _____ (specify country) | | | | | |
| Bonnell or Open Coil | _____ | _____ | _____ | _____ | _____ |
| Offset Coil | _____ | _____ | _____ | _____ | _____ |
| Pocket or Marshall Coil | _____ | _____ | _____ | _____ | _____ |
| Continuous Coil | _____ | _____ | _____ | _____ | _____ |
| Total Imports¹ | _____ | _____ | _____ | _____ | _____ |

1. The net delivered purchase value is the laid-in cost net of all cash, quantity or deferred discounts, allowances, taxes, rebates and incentives, but **including** delivery costs (freight, handling and insurance) to your warehouse.
2. Please ensure that the Total Imports matches your response in :
 - If you completed the Producers' Questionnaire, Schedule V; or,
 - If you completed the Importers' Questionnaire, Schedule I.