



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
Monday, November 16, 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 Salzgitter Mannesmann International (Canada) Inc. (Salzgitter Mannesmann) is an importer of the goods that are the subject of the Tribunal's inquiry;

AND WHEREAS Salzgitter Mannesmann 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 Salzgitter Mannesmann 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 Salzgitter Mannesmann 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 Salzgitter Mannesmann attends before the Tribunal **before November 18, 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 November 19, 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 Salzgitter Mannesmann in fulfilment of the information requirements listed in the attached schedule may be designated as confidential by Salzgitter Mannesmann 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 requested to reply at a minimum to the following questions of the Importers' and Service Centres' Questionnaire and their related schedules, where appropriate:

- Part I: Questions 1 to 13 and 18;
- Part II: Questions 22 and 23 and related Schedules II and III, for D. Total Carbon Steel Plate only;
- Part II: Question 25 and related Schedule V, for D. Total Carbon Steel Plate only;
- Part II: Question 27 and related Schedule VI, for D. Total Carbon Steel Plate only;
- Part II: Question 30 and 31 and related tables, for D. Total Carbon Steel Plate only; and
- Part II: Question 32 and related Schedule VII, for A, B and C.