



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER

Inquiry No. NQ-2010-001

Greenhouse Bell Peppers

*Order issued
Thursday, July 22, 2010*

IN THE MATTER of an inquiry, pursuant to section 42 of the *Special Import Measures Act*, respecting greenhouse bell peppers, originating in or exported from the Netherlands.

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 Westmoreland Sales (Westmoreland) is an importer of the goods that are the subject of the Tribunal's inquiry and a marketer of domestically grown greenhouse bell peppers;

AND WHEREAS Westmoreland has not provided information requested by the Tribunal;

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 Westmoreland has or is likely to have the information in its possession or control;

THE TRIBUNAL ORDERS THAT:

1. A duly authorized representative of Westmoreland 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 Westmoreland satisfies the Tribunal **before July 29, 2010** 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 August 3, 2010**, 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 Westmoreland in fulfilment of the information requirements listed in the attached schedule may be designated as confidential by Westmoreland in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*.

Serge Fréchette
Serge Fréchette
Presiding Member

Diane Vincent
Diane Vincent
Member

Pasquale Michaele Saroli
Pasquale Michaele Saroli
Member

Gillian Burnett
Gillian Burnett
Acting Secretary

SCHEDULE

Information Required

You are required to reply to the Marketers' and Agencies' Questionnaire.

Please provide monthly data as requested in the questionnaire for sales of domestically produced goods and for imports and sales of imports from the Netherlands and Mexico. For imports and sales of imports from other countries, please provide data on an annual basis.

The questionnaire can be downloaded from the Tribunal's Web site at www.citt-tcce.gc.ca/question/index_e.asp.