



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER

Expiry Review No. RR-2009-001

Certain Fasteners

*Order issued
Friday, September 25, 2009*

IN THE MATTER of an expiry review, under subsection 76.03(3) of the *Special Import Measures Act*, of the findings made by the Canadian International Trade Tribunal on January 7, 2005, in Inquiry No. NQ-2004-005, concerning certain fasteners originating in or exported from the People's Republic of China and Chinese Taipei.

ORDER

WHEREAS the Canadian International Trade Tribunal (the Tribunal) is required, pursuant to subsection 76.03(10) of the *Special Import Measures Act* and as a result of the determination by the Canada Border Services Agency that the expiry of the aforementioned findings is likely to result in a continuation or resumption of dumping and subsidizing, to determine whether the expiry of the aforementioned findings is likely to result in injury or retardation to the domestic industry;

AND WHEREAS, based upon information available to the Tribunal, it appears that Fastenal Canada Company (Fastenal Canada) is a significant importer of the goods that are the subject of the Tribunal's expiry review;

AND WHEREAS Fastenal Canada has failed 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 expiry review;

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 Fastenal Canada has or is likely to have information in its possession or control relevant to the Tribunal's expiry review;

THE TRIBUNAL ORDERS THAT:

1. A duly authorized representative of Fastenal Canada 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 Fastenal Canada attends before the Tribunal **before September 29, 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 September 30, 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

Telephone: 613-993-3595
Fax: 613-990-2439

3. The information provided by Fastenal Canada in fulfilment of the information requirements listed in the attached schedule may be designated as confidential by Fastenal Canada 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

Pasquale Michael Saroli
Pasquale Michael Saroli
Member

Hélène Nadeau
Hélène Nadeau
Secretary

SCHEDULE

Information Required

A complete response to the Modified Short Form Importers' Questionnaire.

The Modified Short Form Importers' Questionnaire can be downloaded from the Tribunal's Web site at www.citt-tcce.gc.ca/question/index_e.asp