



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Dumping and Subsidizing

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## ORDER AND REASONS

Interim Review No. RD-2019-002

Carbon and Alloy Steel Line Pipe

*Order and reasons issued  
Wednesday, May 13, 2020*

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IN THE MATTER OF a request for an interim review, pursuant to subsection 76.01(1) of the *Special Import Measures Act*, filed on March 11, 2020, and considered properly documented in accordance with subrule 70(1) of the *Canadian International Trade Tribunal Rules* on March 27, 2020, of the finding made by the Canadian International Trade Tribunal on March 29, 2016, in Inquiry No. NQ-2015-002, concerning:

**CARBON AND ALLOY STEEL LINE PIPE ORIGINATING IN OR EXPORTED  
FROM THE PEOPLE'S REPUBLIC OF CHINA**

**ORDER**

Pursuant to subsections 76.01(3) and (4) of the *Special Import Measures Act*, the Canadian International Trade Tribunal has decided not to conduct an interim review of the above finding.

Rose Ann Ritcey

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Rose Ann Ritcey  
Presiding Member

Susan D. Beaubien

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Susan D. Beaubien  
Member

Serge Fréchette

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Serge Fréchette  
Member

Tribunal Panel: Rose Ann Ritcey, Presiding Member  
Susan D. Beaubien, Member  
Serge Fréchette, Member

Support Staff: Kalyn Eadie, Lead Counsel  
Mark Howell, Lead Analyst

**PARTICIPANTS:****Domestic Producers**

Algoma Tubes Inc., Prudential Steel ULC, Tenaris  
Global Services (Canada) Inc. and Hydril  
Canadian Company LP (collectively “Tenaris  
Canada”)

Bri-Steel Manufacturing

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## STATEMENT OF REASONS

### BACKGROUND

[1] On March 11, 2020, Manas International Inc. (Manas), an importer and distributor of carbon and alloy steel line pipe, requested that the Canadian International Trade Tribunal initiate an interim review of its finding in Inquiry No. NQ-2015-002. Manas sought to have certain carbon steel seamless line pipe, as described in Manas's request, excluded from the scope of the Tribunal's finding.<sup>1</sup>

[2] The products that Manas sought to have excluded were to be imported for use in a specific construction project.<sup>2</sup> Manas claimed that these products are not produced in Canada and submitted, as evidence, a request for quotation from one domestic producer that had been refused.<sup>3</sup>

[3] On March 19 and 24, 2020, the Tribunal notified Manas that additional information was required in order for its request to be considered properly documented.<sup>4</sup> Additional information was provided by Manas on March 19, 26, and 27, 2020.<sup>5</sup> The request was accordingly determined to be properly documented as of March 27, 2020.

[4] On March 31, 2020, the Tribunal provided the parties to Inquiry No. NQ-2015-002 with a copy of Manas's request and set forth a schedule for submissions on whether an interim review was warranted.<sup>6</sup>

[5] On April 15, 2020, three parties filed submissions opposing Manas's request.<sup>7</sup> In arguing that an interim review was not warranted, all of the parties opposed submitted that the exclusion request underlying Manas's request for an interim review should not be granted. They contended that the domestic industry is capable of producing identical and substitutable products to those that Manas requested be excluded from the finding. The opposing parties also submitted that Manas has not provided evidence of a change in circumstances that would warrant the initiation of an interim review.

[6] On April 24, 2020, Manas indicated that it wished to withdraw its request. It asked that the Tribunal terminate the interim review proceedings on the grounds that Manas was no longer certain that the project for which it wished to import the products that were the subject of its exclusion request would proceed.<sup>8</sup>

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<sup>1</sup> The Tribunal notes that the scope of the product exclusion requested by Manas was unclear.

<sup>2</sup> Exhibit RD-2019-002-01D, Vol. 1 at 4; Exhibit RD-2019-002-01F, Vol. 1 at 1.

<sup>3</sup> Exhibit RD-2019-002-01G, Vol. 1 at 8; Exhibit RD-2019-002-01D, Vol. 1 at 4; Exhibit RD-2019-002-01F, Vol. 1 at 1.

<sup>4</sup> Exhibits RD-2019-002-03 and RD-2019-002-04, Vol. 1.

<sup>5</sup> Exhibit RD-2019-002-01, Vol. 1.

<sup>6</sup> In accordance with subrule 70(2) of the *Canadian International Trade Tribunal Rules*.

<sup>7</sup> The three parties opposed are Algoma Tubes Inc., Prudential Steel ULC, Tenaris Global Services (Canada) Inc. and Hydril Canadian Company LP (collectively "Tenaris Canada"); Bri-Steel Manufacturing; and DFI Corporation.

<sup>8</sup> Exhibit RD-2019-002-08, Vol. 1.

## ANALYSIS

[7] Subsection 76.01(1) of the *Special Import Measures Act*<sup>9</sup> provides that the Tribunal may conduct an interim review of a finding or order. Such an interim review may concern the whole finding or order, or any aspect of it. However, pursuant to subsection 76.01(3), the Tribunal cannot conduct an interim review unless the requester satisfies the Tribunal that the interim review is warranted. If the Tribunal decides not to conduct an interim review, subsection 76.01(4) requires the Tribunal to make an order to that effect and give reasons for its decision.

[8] There is no provision in section 76.01 of *SIMA* that explicitly provides for the termination of an interim review or permits the withdrawal of a request for an interim review by the person who made the request. The section simply provides that, upon receipt of a properly documented request, the Tribunal must decide if an interim review is warranted or not.

[9] As Manas no longer wishes to proceed with the interim review, the Tribunal concludes that the requester has conceded that there are no grounds that would justify the conduct of an interim review. In the absence of any other parties supporting the request for an interim review, the Tribunal accordingly finds that there are sufficient reasons to determine that an interim review is not warranted in this case.

## DECISION

[10] For the foregoing reasons, the Tribunal is not satisfied that an interim review is warranted and, therefore, pursuant to subsections 76.01(3) and (4) of *SIMA*, has decided not to conduct an interim review of the finding.

Rose Ann Ritcey  
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Presiding Member

Susan D. Beaubien  
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Member

Serge Fréchette  
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Serge Fréchette  
Member

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<sup>9</sup> R.S.C., 1985, c. S-15 [*SIMA*].