



Canadian International  
Trade Tribunal

Tribunal canadien du  
commerce extérieur

CANADIAN  
INTERNATIONAL  
TRADE TRIBUNAL

# Appeals

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## ORDER

Appeal No. AP-2016-021

1048547 Ontario Inc. d.b.a.  
Skotidakis Goat Farm

v.

President of the Canada Border  
Services Agency

*Order issued  
Thursday, March 30, 2017*

IN THE MATTER OF an appeal filed by 1048547 Ontario Inc. d.b.a. Skotidakis Goat Farm on August 26, 2016, pursuant to subsection 67(1) of the *Customs Act*, R.S.C., 1985, c.1 (2<sup>nd</sup> Supp.);

AND IN THE MATTER OF a request by the President of the Canada Border Services Agency on March 10, 2017, that the Canadian International Trade Tribunal order the production of certain documents by 1048547 Ontario Inc. d.b.a. Skotidakis Goat Farm.

**BETWEEN**

**1048547 ONTARIO INC. D.B.A. SKOTIDAKIS GOAT FARM**

**Appellant**

**AND**

**THE PRESIDENT OF THE CANADA BORDER SERVICES AGENCY**

**Respondent**

**ORDER**

The Canadian International Trade Tribunal (the Tribunal) grants the request in part.

Having reviewed the request for the production of documents made by the President of the Canada Border Services Agency (CBSA) dated March 10, 2017, the submissions of 1048547 Ontario Inc. d.b.a. Skotidakis Goat Farm Skotidakis (Skotidakis) dated March 23, 2017, the submissions of the Dairy Farmers of Canada dated March 27, 2017, and the reply of the CBSA dated March 27, 2017, the Tribunal orders Skotidakis, under subsection 17(2) of the *Canadian International Trade Tribunal Act* to file with the Tribunal, no later than April 28, 2017, the following documents:

1. Documents relating to sales of PC/SS and BF-11 to processors in Canada:

- The names and contact information of the food processors in Canada who have purchased PC/SS or BF-11 food preparation between October 2011 and November 2012, the volumes associated with each purchaser, the associated purchase orders and contracts from the purchasers of PC/SS or BF-11;
- Skotidakis' invoices, for the period of October 2011 to November 2012, related to sales of these food preparations to processors in Canada; and
- proof of payment from these processors to Skotidakis.

2. Records relating to St. Albans and Queensboro:

- Packing slips, for the period of October 2011 to November 2012, related to sales of these food preparations to Skotidakis;
- certificates of analysis for this same period;
- purchase orders from Skotidakis to Queensboro and St. Albans for this period;
- the corresponding commercial invoices and proof of payment; and

- bills of lading, for the period of October 2011 to November 2012, related to the importation from Queensboro and St. Albans of the food preparations at issue.

Noting Skotidakis' indication that it is no longer in possession of trucking logs associated with the purchases of food preparations from St. Albans and Queensboro for the period from October 2011 to November 2012, the Tribunal will not order the production of those documents.

In addition, the Tribunal will not order the production of documents related to Skotidakis' own use of PC/SS and BF-11, as the Tribunal is not satisfied that these documents are relevant to the issue of the identity of the imported products.

If the documents contain information that Skotidakis wishes to be kept confidential, it should consult subsection 46(1) of *the Canadian International Trade Tribunal Act* and proceed accordingly.

The reasons for this order will be included in the statement of reasons on the merits of the appeal.

Serge Fréchette  
Serge Fréchette  
Presiding Member