

**BY COURIER**

July 14, 1998

«Name»

«Salutation»:

Subject: 100 Percent Polyester Herringbone Woven Fabric (Expiry No. TE-97-002)

This correspondence is further to the notice of expiry issued by the Canadian International Trade Tribunal (the Tribunal) on November 6, 1997, pertaining to tariff relief provided for polyester herringbone woven fabric.

On November 6, 1997, the Tribunal gave notice that the tariff relief order (Code 4242) made on July 26, 1995, to implement the Tribunal's recommendation to the Minister of Finance (the Minister) in Request No. TR-94-005 (Hemisphere Productions Inc.), concerning "woven fabric, pointed twill weave, solely of polyester filament yarns measuring 155 decitex or more, with a twist of 960 or more turns per metre, having in the warp 157 or more yarns per 10 cm, and in the weft 315 or more yarns per 10 cm, of tariff item No. 5407.60.90, for use in the manufacture of women's apparel" (the subject fabric), was scheduled to expire on July 25, 1998.<sup>1</sup> Under the Minister's standing reference, the duty relief provided by tariff item No. 5407.61.91 of the schedule to the *Customs Tariff*, which replaced Code 4242 on January 1, 1998, will cease unless the Tribunal issues a recommendation to the Minister that tariff relief is still warranted and an order to that effect is made by the government. Pursuant to subparagraph 19(5) of the Textile Reference Guidelines, parties requesting or opposing the initiation of a review were asked to file with the Secretary of the Tribunal written submissions containing relevant information, opinions and arguments in support of their positions.

The notice of expiry was published in the November 15, 1997, edition of the *Canada Gazette*, Part I. It was distributed to all parties and participants to the original investigation, as well as other interested parties, including firms identified as importers and users of the subject fabric, organizations representing producers, users and importers of textile inputs, as well as a number of government departments.

Only one submission was received by the Tribunal following the issuance of the notice. Nygard International Ltd. (Nygard), a domestic manufacturer of women's apparel, requested that tariff relief be continued, arguing that the subject fabric represents an important fabric for its finished products and that it is not available from domestic production. In response to a request for specific information regarding its support for the continuation of tariff relief on the subject fabric, Nygard subsequently indicated to the Tribunal that it does not use the subject fabric. No submissions, whether in support or in opposition to the continuation of the tariff relief, were received from any of the parties or participants to the original investigation, including Hemisphere Productions Inc.

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1. The expiry date shown in the *Customs Tariff* for tariff item No. 5407.61.91 is, in fact, July 26, 1998.

Consequently, the Tribunal has directed me to inform you that a review of its recommendations to the Minister is not warranted. As such, the Tribunal does not recommend the continuation of the tariff relief on the subject fabric and anticipates that the tariff relief will cease as scheduled on July 26, 1998.

Yours sincerely,

Michel P. Granger  
Secretary