



Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Voluntary Report - public distribution

Date: 1/10/2002

GAIN Report #CA2003

Canada

Tomatoes and Products

Trade Body Rules U.S. Fresh Tomatoes Cause Injury 2002

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Report Highlights: On January 8, 2002, the Canadian International Trade Tribunal announced its preliminary finding that there is reasonable indication that fresh tomatoes imported from the United States, excluding those for processing, have caused injury to the tomato industry in Canada.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Ottawa [CA1], CA

On January 8, 2002, the Canadian International Trade Tribunal (CITT) announced its preliminary finding that there is reasonable indication that fresh tomatoes imported from the United States, excluding those for processing, have caused injury to the tomato industry in Canada. The anti-dumping case against U.S. tomatoes was officially initiated on November 9, 2001. See CA1160 for background information.

Future Actions:

In early February, the Canada Customs and Revenue Agency (CCRA) will make its preliminary determination on dumping which could result in the imposition of provisional duties on U.S. fresh tomatoes. This must be made 90 days from the date of the initiation of the investigation (on or about Feb 9 or 10, 2002). Under special circumstances, this period may be extended to 135 days. If affirmative, a provisional duty is imposed normally equal to the estimated margin of dumping and CCRA's investigation continues toward a final determination within 90 days of the date of the preliminary determination.

Also, if the CCRA preliminary determination is affirmative, the CITT continues its inquiry and holds public hearings into the question of material injury to the Canadian industry. The CITT is required to make its final injury finding, not later than 120 days after the CCRA notice of a preliminary determination.

A negative finding at any stage by either the CCRA or the CITT terminates the anti-dumping case and any duties collected are refundable.

Background:

In March 2001, the U.S. greenhouse industry petitioned the U.S. Department of Commerce for anti-dumping duties against Canadian greenhouse tomatoes. Immediately following the United States International Trade Commission decision in May 2001 that there was a reasonable indication that the U.S. industry is materially injured by cheap imports of greenhouse tomatoes from Canada, Canadian producers of greenhouse tomatoes in Canada formed the Canadian Tomato Trade Alliance, and petitioned the CCRA in June 2001, for an anti-dumping investigation into U.S. field-grown tomatoes.

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