



June 22, 2018

The General Manager
Alberta Wall and Ceiling Association
584 Riverbend SQ NW
PO Box 21016
Edmonton AB T6R 2V4

Dear Sir or Madam:

Subject: Gypsum Board (Preliminary Injury Inquiry No. PI-2018-003)

Upon receipt on June 21, 2018, from the Director General of the Trade and Anti-dumping Programs Directorate, at the Canada Border Services Agency (CBSA), of a notice regarding the decision of the President of the CBSA to initiate investigations respecting the alleged injurious dumping of gypsum board, sheet, or panel ("gypsum board") originating in or exported from the United States of America, imported into Canada for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories, made to a width of 54 inches (1,371.6 mm), composed primarily of a gypsum core and faced or reinforced with paper or paperboard, including gypsum board meeting or supplied to meet ASTM C 1396 or ASTM C 1396M or equivalent standards, regardless of end use, edge-finish, thickness, or length (but not width), excluding (a) gypsum board meeting ASTM C 1177 or ASTM C 1177M (commonly referred to and used primarily as "glass fiber re-enforced sheathing board" but also sometimes used for internal applications for high mold/moisture resistant applications); (b) double layered glued paper-faced gypsum board (commonly referred to and used as "acoustic board"); and (c) gypsum board meeting ISO16000-23 for sorption of formaldehyde (the subject goods), all dimensions being plus or minus allowable tolerances in applicable standards, the Canadian International Trade Tribunal (the Tribunal) commenced a preliminary injury inquiry, pursuant to subsection 34(2) of the *Special Import Measures Act*, to determine whether the evidence discloses a reasonable indication that the alleged injurious dumping of the subject goods has caused injury or retardation or is threatening to cause injury.

A copy of the notice of commencement of preliminary injury inquiry, in English and in French, which provides the complete description of the goods subject to this preliminary injury inquiry as well as more information concerning the preliminary injury inquiry, is enclosed. This notice should appear in Part I of the June 30, 2018, edition of the *Canada Gazette*.

Further details regarding this preliminary injury inquiry, including additional procedural information and the schedule of key preliminary injury inquiry events, are enclosed. The schedule provides for a series of closely interrelated steps to be carried out within a tight time frame. The Tribunal intends to adhere to the preliminary injury inquiry schedule and expects parties and counsel to do likewise.

Any questions relating to this preliminary injury inquiry should be addressed to Mr. Shawn Jeffrey, at 613-998-8498 (Shawn.Jeffrey@tribunal.gc.ca), Mr. Joseph Long, at 613-998-8567 (Joseph.Long@tribunal.gc.ca), or the undersigned, at 613-993-3595.

Yours sincerely,

Michel Parent
Registrar

Encl.



NOTICE OF COMMENCEMENT OF PRELIMINARY INJURY INQUIRY

GYPSUM BOARD

The Canadian International Trade Tribunal hereby gives notice that, pursuant to subsection 34(2) of the *Special Import Measures Act (SIMA)*, it has initiated a preliminary injury inquiry to determine whether the evidence discloses a reasonable indication that the alleged injurious dumping of gypsum board, sheet, or panel (“gypsum board”) originating in or exported from the United States of America, imported into Canada for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories, made to a width of 54 inches (1,371.6 mm), composed primarily of a gypsum core and faced or reinforced with paper or paperboard, including gypsum board meeting or supplied to meet ASTM C 1396 or ASTM C 1396M or equivalent standards, regardless of end use, edge-finish, thickness, or length (but not width), excluding (a) gypsum board meeting ASTM C 1177 or ASTM C 1177M (commonly referred to and used primarily as “glass fiber re-enforced sheathing board” but also sometimes used for internal applications for high mold/moisture resistant applications); (b) double layered glued paper-faced gypsum board (commonly referred to and used as “acoustic board”); and (c) gypsum board meeting ISO16000-23 for sorption of formaldehyde (the subject goods), has caused injury or retardation or is threatening to cause injury, as these words are defined in *SIMA*. All dimensions are plus or minus allowable tolerances in applicable standards.

The Tribunal’s preliminary injury inquiry will be conducted by way of written submissions. Each person or government wishing to participate in the preliminary injury inquiry must file a notice of participation with the Tribunal on or before **July 4, 2018**. Each counsel who intends to represent a party in the preliminary injury inquiry must file a notice of representation, as well as a declaration and undertaking, with the Tribunal on or before **July 4, 2018**.

On **July 9, 2018**, the Tribunal will issue a list of participants. Counsel and parties are required to serve their respective submissions on each other on the dates outlined below. Public submissions are to be served on counsel and those parties who are not represented by counsel. Confidential submissions are to be served only on counsel who have access to the confidential record, and who have filed an undertaking with the Tribunal. This information will be included in the list of participants. **One complete electronic version** of all submissions must be served on the Tribunal.

Submissions by parties opposed to the complaint must be filed not later than noon, on **July 19, 2018**. The complainant may make submissions in response to the submissions of parties opposed to the complaint not later than noon, on **July 26, 2018**. At that time, other parties in support of the complaint may also make submissions to the Tribunal.

In accordance with section 46 of the *Canadian International Trade Tribunal Act*, a person who provides information to the Tribunal and who wishes some or all of the information to be kept confidential must, among other things, submit a non-confidential edited version or summary of the information designated as confidential, or a statement indicating why such a summary cannot be made.

Written submissions, correspondence and requests for information regarding this notice should be addressed to the Registrar, Secretariat to the Canadian International Trade Tribunal, 15th Floor, 333 Laurier

Avenue West, Ottawa, Ontario K1A 0G7, 613-993-3595 (telephone), 613-990-2439 (fax), citt-tcce@tribunal.gc.ca (e-mail).

Further details regarding this preliminary injury inquiry, including the schedule of key events, are contained in the sections entitled “Additional Information” and “Preliminary Injury Inquiry Schedule” of the notice of commencement of preliminary injury inquiry available on the Tribunal’s Web site at www.citt-tcce.gc.ca/en/whats-new.

Dated at Ottawa, Ontario,
this 22nd day of June 2018

ADDITIONAL INFORMATION

DISTRIBUTION OF THE RECORD

On July 9, 2018, the Tribunal will distribute the public information received from the Canada Border Services Agency (CBSA) to all parties that have filed notices of participation, and the confidential information to counsel who have filed a declaration and undertaking with the Tribunal.

SUBMISSION DATES AND FACTORS TO BE ADDRESSED

Submissions by parties opposed to the complaint must be filed not later than noon, on **July 19, 2018**. These submissions should include evidence, e.g. documents and sources that support the factual statements in the submissions and argument concerning the questions of:

- whether there are goods produced in Canada, other than those identified in the CBSA's statement of reasons for initiating the investigations, that are like goods to the subject goods;
- whether the subject goods comprise more than one class of goods;
- which domestic producers of like goods comprise the domestic industry; and
- whether the information before the Tribunal discloses a reasonable indication that the alleged dumping of the subject goods has caused injury or retardation, or is threatening to cause injury.

The complainant may make submissions in response to the submissions of parties opposed to the complaint not later than noon, on **July 26, 2018**. At that time, parties in support of the complaint may also make submissions to the Tribunal.

One complete electronic version of all submissions must be served on the Tribunal. Parties are required to serve each other with their respective submissions in accordance with the directions below:

1. Submissions that contain information that is confidential to your company/government or your client may be served by electronic means provided you are willing to accept the associated risks.
2. Submissions that contain third-party confidential information, meaning confidential information belonging to a company/government that is not your own or that is not represented by you must be served by courier. Service must be effected so that the said submissions arrive on the stated due dates as set out above.

Please note that **proof of service must be filed with the Tribunal at the same time as the required copies are served on the Tribunal**. Please see the Tribunal's *Confidentiality Guidelines* found at www.citt-tcce.gc.ca/en/confidentiality_guidelines_e for additional information.

REQUESTS FOR PRODUCT EXCLUSIONS

Parties should note that the Tribunal does not consider product exclusion requests during a preliminary injury inquiry, and, therefore, none should be filed at this stage. Should the matter proceed to a final injury inquiry, the schedule for filing product exclusion requests will be included in the notice of commencement of inquiry.

PROCEDURE FOR FILING WITH THE TRIBUNAL

Parties and the public may file documents electronically with the Tribunal through its Secure E-filing Service at https://apps.citt-tcce.gc.ca/sftapp/CITT/html/transfer_e.html. The information is fully encrypted from the sender to the Tribunal.

OTHER INFORMATION

The *Canadian International Trade Tribunal Rules* govern these proceedings.

The Tribunal has sent notice of the notice of commencement of preliminary injury inquiry and the preliminary injury inquiry schedule to domestic producers, importers and exporters with a known interest in the preliminary injury inquiry. The notice, additional information and the preliminary injury inquiry schedule listing the key events are available on the Tribunal's Web site at www.citt-tcce.gc.ca/en/whats-new.

At the end of these proceedings, the Tribunal will issue a decision supported by a summary of the case, a summary of the arguments and an analysis of the case. The decision will be posted on its Web site and distributed to the parties and interested persons, as well as to organizations and persons that have registered to receive decisions of the Tribunal.

Written and oral communication with the Tribunal may be in English or in French.

PRELIMINARY INJURY INQUIRY SCHEDULE

June 22, 2018	Notice of commencement of preliminary injury inquiry
July 4, 2018	Notices of participation and representation, declarations and undertakings
July 9, 2018	Distribution of documents received from the CBSA
July 19, 2018, by noon	Submissions by parties opposed to the complaint
July 26, 2018, by noon	Replies from the complainant and parties in support of the complaint
August 20, 2018	Determination
September 4, 2018	Reasons for determination