

PRODUCT EXCLUSION REQUEST FORM

(Injury inquiries under section 42 and reviews under sections 76.01 and 76.03 of the *Special Import Measures Act*)

FILING INSTRUCTIONS

A party who wishes to file a product exclusion request for more than one product must complete a separate Product Exclusion Request Form for each product.

One copy of each completed Product Exclusion Request Form must be filed no later than **noon** on the date set out in the schedule.

Product exclusion requests may be filed with the Tribunal electronically OR in hard copy format. Do not file both versions.

If filing electronically, all attachments *must* be included in electronic format. Electronic documents can be sent using the Tribunal's Secure E-filing Service at www.citt-tcce.gc.ca/en/secure_e_filing_service. The information is fully encrypted from the sender to the Tribunal.

In the alternative, product exclusion requests can be sent by regular (non-encrypted) electronic mail to the Tribunal at secretary-secretaire@citt-tcce.gc.ca provided the sender accepts the risks associated with this method of transmission if the request contains confidential information.

If you are sending a hard copy format, it should be addressed to:

The Secretary
Canadian International Trade Tribunal
15th Floor
333 Laurier Avenue West
Ottawa, Ontario K1A 0G7

A party wanting portions of the information that it files with the Tribunal to be designated as confidential must submit two versions of the information to the Tribunal:

- 1) A confidential version containing all the confidential information and labelled "Confidential" on every page that contains confidential information. In addition, all confidential information should be highlighted by using shading, boldface characters or square brackets; and
- 2) (a) a separate public version of the same document with the confidential information fully deleted if you are filing electronically. (You may not simply mask or hide the confidential information, it must be deleted); **OR**
(b) a public version of the confidential document with the confidential information fully blacked-out if you are filing in hard-copy (paper).

In the alternative to filing a public version as described in 2(a) or 2(b), you may file a public summary of the confidential information. In either case, the public version or the public summary must give the party opposite and the Tribunal sufficient information to understand the nature of the confidential information.

In some cases, the Tribunal may require that the requester serve its request on the Tribunal and counsel for the domestic industry simultaneously. If this is the case requesters will be advised under separate cover, and will be provided with the name and coordinates of counsel.

Do not include this instruction page when filing your product exclusion request.

PRODUCT EXCLUSION REQUEST FORM

PART I PUBLIC INFORMATION

Note: Information requested in this part is public.

(A separate form must be completed for each product)

(Injury inquiries under section 42 and reviews under sections 76.01
and 76.03 of the *Special Import Measures Act*)

| | |
|-------------------------------|---|
| Name of Tribunal Case: | Tribunal Case No.: |
| COMPANY | REPRESENTATIVE OR COUNSEL |
| Name: | Firm: |
| Contact: | Name of Representative or Counsel: |
| Address: | Address: |
| Telephone: | Telephone: |
| Fax: | Fax: |
| E-mail: | E-mail: |

ONCE COMPLETED, THIS FORM WILL BE CONSIDERED TO BE YOUR NOTICE OF PARTICIPATION. IF YOU HAVE RETAINED COUNSEL, COUNSEL IS REQUIRED TO COMPLETE FORMS II AND III, AS APPROPRIATE.

1. With respect to the product in question, you are:

end user importer exporter foreign producer other:

2. Name and full technical description of the product for which an exclusion is requested:

3. Provide, in the table below, a detailed description of the particular characteristics of the product. Please attach any available product literature. These characteristics will vary by type of product, but will generally include physical characteristics, range of sizes or dimensions, qualities, market segments and end uses. The characteristics of an *industrial* product might also include information on its composition or chemical properties, how it is produced, grades, standards that the product has to meet, and professional association specifications. The characteristics of a *consumer* product might also include styles, finishes or specific components. The characteristics of an *agricultural* product might also include information on the strain or variety of the product, as well as a description of how it is produced.

| Characteristics | Description |
|-----------------|-------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

4. The 10-digit *Harmonized Commodity Description and Coding System* classification number under which the product is imported:

5. Is this a proprietary or trade-marked product?

Yes No

6. Proposed description (in generic or non-proprietary terms if the request concerns a proprietary or trade-marked product) of the product for which an exclusion is requested to be contained in the Tribunal's finding or order:

7. Reason for requesting an exclusion:

8. Does the domestic industry (that produces the range of products from which you are requesting a product exclusion) support or consent to your request for exclusion? If it does, please provide written confirmation to the extent possible.

9. Have you attempted to purchase the product for which an exclusion request is being made, or a substitutable product, from Canadian producers? If you have, please provide any supporting documentation (and designate it as public or confidential).

The undersigned certifies that the information herein supplied is complete and correct to the best of his/her knowledge and belief.

Signature of Authorized Official:

Name of Authorized Official (*Print*):

Title of Authorized Official:

Date:

If you provided **confidential** information, it should be so designated and be accompanied by a public summary in sufficient detail to convey a reasonable understanding of the substance of the information.

PART II
CONFIDENTIAL INFORMATION

Note: Information requested in this part is considered to be confidential in nature and will be treated as such, in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*.

COMPANY NAME:

Name and full technical description of the product for which an exclusion is requested:
(copy information provided in question 2, public information)

10. Please complete the following table showing the volume, value and unit value of your purchases of imports or sales to Canada of the product for which you are requesting an exclusion. (Please specify units of volume:) Data should be reported for the last three full calendar years and the current year. (Please specify the period in the current year for which data are reported:) Please complete a separate table for each subject country.

| Subject Country of Origin: <input type="text"/> | First Year <input type="text"/> | Second Year <input type="text"/> | Third Year <input type="text"/> | Current Year <input type="text"/> |
|---|------------------------------------|-------------------------------------|------------------------------------|--------------------------------------|
| Volume (units) | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Value (\$000) | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Unit Value (\$) | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |