



Canadian Swine Exporters Advised of Potential Antidumping Duty

On October 15, 2004 the U.S. Department of Commerce will announce its preliminary determination of whether Canadian live swine are being sold at less than fair market value ("dumped") in the United States.

The Canadian Pork Council and its members were pleased by the August preliminary determination in the companion countervailing duty investigation. That decision held that there are no countervailable subsidies benefiting Canadian swine, confirming Canada's position that the major Canadian farm support programs are not illegal subsidies under U.S. law. That decision did not address the question of dumping however, and members should be aware that it is still possible that a significant hindrance to exporting to the U.S. market could arise as a result of the antidumping investigation .

The announcement could lead to the imposition of an antidumping duty on all U.S. bound swine exports (except breeding stock) beginning on or about October 20.

The antidumping investigation focuses on the prices and costs of four Canadian exporters of swine, chosen by the U.S. Department of Commerce. The information being submitted by those four parties will determine an antidumping duty deposit rate for each of them.

All other Canadian producers will be subject to an "all others" deposit rate that is based on the results for the four exporters. A deposit rate for each of the four exporters and the "all others" rate will be announced on October 15.

Those considering major business decisions that involve access to the U.S. market should inform themselves as fully as possible regarding the implications of the preliminary antidumping decision.

The Canadian Pork Council and its members are prepared to help provide guidance on this process.

September 22, 2004