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Canada Border  
Services Agency

Agence des services  
frontaliers du Canada



**SIMA Registry and Disclosure Unit**  
Trade and Anti-dumping Programs Directorate  
Canada Border Services Agency  
100 Metcalfe Street, 11th Floor  
Ottawa, Ontario K1A 0L8  
Canada

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# Submission received electronically

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## Soumission reçu électroniquement

Submission Date /  
Date de soumission

**September 22, 2023**

September 22, 2023

**PUBLIC**

**BY ELECTRONIC MAIL**

SIMA Registry and Disclosure Unit  
Trade and Anti-dumping Programs Directorate  
Canada Border Services Agency  
100 Metcalfe Street, 11<sup>th</sup> Floor  
Ottawa, Ontario K1A0L8

Dear Registry:

**Re: ILJIN Steel Corporation's Request for a Normal Value Review**

On behalf of Evraz Inc. NA Canada ("Evraz"), we write in response to ILJIN Steel Corporation ("ILJIN")'s request for a normal value review dated September 14, 2023. There is no need for the CBSA to conduct a normal value review in this instance.

*First*, ILJIN had the opportunity to participate in OCTG 2022 RI. ILJIN's failure to participate is not a reason to initiate a normal value review now. ILJIN explains only that it had no plans to ship to Canada at that time but has now changed its mind.<sup>1</sup> This reason is not sufficient to justify the dedication of CBSA resources to a normal value review now, especially considering the points noted below.

*Second*, ILJIN does not need a normal value review to make sales to Canada. At any time, ILJIN can export the subject goods to Canada and the importer in Canada can pay and appeal the application of the Ministerial Specification pursuant to section 56(1.01)(a) to obtain normal values through a normal value review.

*Third*, ILJIN does not have normal values and there are thus no normal values in need of an "update". ILJIN reports that it has not produced or sold OCTG to Canada and that it does not have normal values for the subject goods.<sup>2</sup> ILJIN argues that a normal value review is warranted

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<sup>1</sup> ILJIN NVR Request at 3. ILJIN notes that it chose not to participate "for multiple reasons" but only offers one reason in its response: that it had not formulated any firm interest in developing export sales to Canada.

<sup>2</sup> ILJIN NVR Request at 2.

because market conditions have changed since the end of the last CBSA re-investigation.<sup>3</sup> ILJIN provides several supporting documents demonstrating that prices and costs have changed.<sup>4</sup> However, changing market conditions, prices, and costs are only relevant if there are existing normal values that then may be in need of an update to ensure imports continue to be fairly traded in Canada. There is no need to “update” normal values that do not exist. The fact that market conditions, prices, or costs have changed is not relevant to the calculation of normal values for ILJIN because ILJIN does not have normal values in place today.

As such, Evraz kindly requests that the CBSA decline to initiate the requested normal value review.

Yours very truly,  
Cassidy Levy Kent (CANADA) LLP

By:   
Michael Milne

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<sup>3</sup> ILJIN NVR Request at 4 (“As a result, current market conditions have changed since the CBSA’s most recent review of normal values and export prices concluded in September of last year. We respectfully submit that a Normal Value Review for ILJIN’s prospective sales of seamless OCTG to Canada is warranted under the CBSA’s policy expressed in Memorandum D14-1-8.”).

<sup>4</sup> ILJIN NVR Request at 4-5.