

May 1, 2026

SIMA Registry and Disclosure Unit  
Anti-Dumping and Countervailing Directorate  
Canada Border Services Agency  
100 Metcalfe Street, 11<sup>th</sup> Floor  
Ottawa, ON K1A 0L8

Dear Sir/Madam:

**RE: Concrete Reinforcing Bar 3  
Objection to Request for Administrative Review and Expedited  
Review by Alliance Steel - Malaysian Exporter**

1. These submissions are filed on behalf of ArcelorMittal Long Products Canada G.P. (“AMLPC”), a domestic producer of concrete reinforcing bar (“**rebar**”). Furthermore, AMLPC participated in the proceedings before the Canada Border Services Agency (“CBSA”) and the Canadian International Trade Tribunal (“CITT”) concerning rebar, which culminated in a finding of injury on June 4, 2021.<sup>1</sup>
2. On April 4, 2026, Malaysian rebar producer Alliance Steel Sdn Bhd, Malaysia (“**Alliance Steel**”) requested that CBSA issue it normal values, whether through an administrative review or an expedited review.
3. Alliance Steel states that it is submitting the request based on its lack of participation in CBSA’s 2020 dumping investigation initiated in September 2020,<sup>2</sup> which it attributes to not having been notified of the proceeding or having received a request for information.<sup>3</sup> Alliance Steel maintains that it is not affiliated with other Malaysian exporters that

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<sup>1</sup> *Rebar 3*, NQ-2021-003, Finding (June 4, 2025).

<sup>2</sup> *Rebar 3*, RB3 2020 IN, CBSA Statement of Reasons – Initiation of an investigation (October 7, 2020) at para 4.

<sup>3</sup> Alliance Steel’s Non-Confidential Public Request for a Normal Value Review dated April 4, 2026.



participated in, and are subject to, the 2021 finding of injury and, on that basis, asserts that it is currently subject to the residual rate, which it claims, effectively, “prohibits” its ability to export rebar to Canada.<sup>4</sup>

4. In substance, Alliance Steel’s request rests on the assertion that it should be permitted to export rebar to the Canadian market on an exceptional basis, notwithstanding the existing anti-dumping duty regime, to effectively avoid the 23.1% “all others” rate. Alliance Steel seeks access to the Canadian market without the payment of duties. To achieve this result, Alliance Steel’s position rests on the unsupported assertion that it has both:
  - a. the procedural entitlement for an administrative review in accordance with CBSA’s *Memorandum D14-1-8: Administrative Review Policy – Special Import Measures Act (SIMA)* (the “**Administrative Review Policy**”);<sup>5</sup> and
  - b. the evidentiary foundation to compel CBSA to initiate a mandatory expedited review under section 13.2 of the *Special Import Measures Act* (“**SIMA**”) to issue normal values.
5. In responding to Alliance Steel’s position, AMLPC submits that Alliance Steel’s request does not justify the initiation of an administrative or expedited review on the following grounds:
  - a. Alliance Steel does not meet the eligibility criteria that would support the initiation of an administrative review or an expedited review.
  - b. Further, even if a discretionary basis for an administrative review were to exist, the evidentiary record remains insufficient to justify its exercise. The request does not

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<sup>4</sup> Alliance Steel’s Non-Confidential Public Request for a Normal Value Review dated April 4, 2026.

<sup>5</sup> CBSA *Administrative Review Policy – Special Import Measures Act (SIMA)*, Memorandum D14-1-8 (October 8, 2025), online: <https://www.cbsa-asfc.gc.ca/publications/dm-md/d14/d14-1-8-eng.html> {“CBSA Administrative Review Policy”}.

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demonstrate any material issue warranting an administrative review nor does it provide the minimum evidence required to support the establishment or updating of normal values. Ultimately, in the absence of such evidence, the deployment of CBSA resources in these circumstances would not be appropriate.

**I. No Eligibility Basis for a Discretionary Administrative Review**

6. Alliance Steel's request does not meet the criteria set out in CBSA's Administrative Review Policy.<sup>6</sup> As a preliminary matter, an administrative review is not a statutory entitlement under SIMA, but rather a discretionary administrative proceeding under the Administrative Review Policy, available only when updates to SIMA values are necessary.<sup>7</sup> The CBSA process is a narrowly circumscribed discretionary mechanism intended to establish normal values, export prices, and subsidy amounts.<sup>8</sup> CBSA will make this determination by considering various factors including the volume imports, changes affecting ministerial specifications, and changes in market conditions and/or the provision of subsidies.<sup>9</sup>
7. Under SIMA, administrative reviews are undertaken, where necessary, to maintain and update existing measures in response to material changes in market conditions.<sup>10</sup> CBSA applies a structured, resource-managed approach to ensure that administrative resources are directed toward circumstances that warrant the establishment or updating of normal values.<sup>11</sup> More broadly, beyond the administrative review procedural framework, CBSA must allocate investigative capacity across other ongoing dumping and subsidy investigations and expiry reviews, which are subject to strict statutory timelines.

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<sup>6</sup> CBSA Administrative Review Policy.

<sup>7</sup> CBSA Administrative Review Policy at para 4.

<sup>8</sup> CBSA Administrative Review Policy at para 2.

<sup>9</sup> CBSA Administrative Review Policy at para 7.

<sup>10</sup> CBSA Administrative Review Policy at paras 2-4.

<sup>11</sup> CBSA Administrative Review Policy at paras 2-4.

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8. The measures applicable to the importation of rebar from Malaysia are already subject to an upcoming CBSA expiry review proceeding.<sup>12</sup> Therefore, it does not make sense to conduct an administrative review proceeding while the Order imposing the duties is under review.
9. Furthermore, Alliance Steel fails to provide any evidence or demonstrate that its circumstances require an administrative review. The entirety of the request is based on unsubstantiated assertions. The Malaysian exporter posits that the 23.1% duty rate is prohibitive, without providing any information about its costs and pricing nor pricing in the Canadian market.<sup>13</sup> Alliance provides no evidence relating to pricing, costs, market conditions, or actual efforts to sell to Canadian customers.<sup>14</sup> Therefore, there is no factual basis for an administrative review, and the request improperly seeks to use a discretionary mechanism to be able to sell its rebar below the price it would be required to sell at with a 23.1% duty.
10. Even if Alliance Steel were otherwise eligible for an administrative review under the Administrative Review Policy, it has not met the necessary representational requirements to merit initiating a review process.<sup>15</sup>
11. Therefore, AMLPC submits that the initiation of an administrative review to issue normal values to Alliance Steel under the Rebar 3 finding is not warranted.

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<sup>12</sup> Concrete Reinforcing Bar 3 (RB3 2026 ER); See: <https://www.cbsa-asfc.gc.ca/sima-lmsi/er-rre/rb32026/rb32026-ni-eng.html>.

<sup>13</sup> Alliance Steel's Non-Confidential Public Request for a Normal Value Review dated April 4, 2026.

<sup>14</sup> Alliance Steel's Non-Confidential Public Request for a Normal Value Review dated April 4, 2026.

<sup>15</sup> CBSA Administrative Review Policy at para 21.

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## II. Expedited Review is Unwarranted Given Insufficient Evidence

12. Alliance Steel has not met the evidentiary threshold required for the initiation of an expedited review pursuant to section 13.2 of SIMA and section 55(1) of the *Special Import Measures Regulations* (“SIMR”).
13. In contrast to CBSA administrative reviews, CBSA expedited reviews are mandatory under section 13.2 of SIMA if the request that is made to CBSA meets the required criteria under section 55(1) of the SIMR.<sup>16</sup>
14. CBSA has issued policy guidance that provides additional clarity on the criteria governing when expedited reviews may be considered.<sup>17</sup> Eligibility for expedited review is only considered where the requesting exporter establishes that it is not associated with any exporter in the same country that has been notified under the relevant provisions of SIMA in respect of the subject goods, and where the exporter has not previously been requested to provide information in relation to those goods or goods of the same description for the purposes of determining normal values, export prices, or amounts of subsidy.<sup>18</sup> Therefore, the eligibility criteria are cumulative and exclusionary. The CBSA’s policy guidance also sets out the information that must be contained in a request for an expedited review, as provided for in section 55(1) of the SIMR.
15. Pursuant to section 55(1) of the SIMR, the onus rests on the requesting party to identify the relevant measure in force and provide evidence to CBSA that an expedited review is warranted, including:
  - a. that the goods have been sold or consigned to an importer in Canada;

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<sup>16</sup> *Special Import Measures Act*, RSC 1986 c S-15, ss. 13.2; *Special Import Measures Regulations* (SOR/84-927), s. 55(1).

<sup>17</sup> CBSA, Information for expedited reviews: Eligibility for an expedited review (Modified October 21, 2024), Government of Canada, [online https://www.cbsa-asfc.gc.ca/sima-lmsi/xr-rea/menu-eng.html](https://www.cbsa-asfc.gc.ca/sima-lmsi/xr-rea/menu-eng.html).

<sup>18</sup> *Special Import Measures Act*, RSC 1986 c S-15, ss. 13.2(1).

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- b. for each sale or consignment to an importer in Canada, full transaction details demonstrating the export and sale of the goods, including:
    - i. the identity (name and address) of the importer;
    - ii. a detailed description of the goods;
    - iii. the date of sale or consignment;
    - iv. the date of shipment;
    - v. the applicable purchase or consignment order number and date;
    - vi. complete supporting documentation for the transaction, including the contract of sale or purchase order acknowledgement/acceptance, or the consignment contract or consignment order acknowledgement/acceptance;
    - vii. the name and address of the manufacturer or producer of the goods; and
  - c. a description of the exporting enterprise, including identification of all associated persons located in the country of export.<sup>19</sup>
16. In Alliance Steel’s case, no evidence of imports or sales to Canada was provided in its letter to CBSA to support the merits of an expedited review. In fact, Alliance Steel confirms that the high “all others” rates effectively restrict its ability to sell into the Canadian market,<sup>20</sup> which suggests that the mandatory requirement under subsection 55(1)(a) of the SIMR is not met.

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<sup>19</sup> CBSA, Information for expedited reviews: Eligibility for an expedited review (Modified October 21, 2024), *Government of Canada*.

<sup>20</sup> Alliance Steel’s Non-Confidential Public Request for a Normal Value Review dated April 4, 2026.

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17. Therefore, Alliance Steel has failed to discharge its evidentiary burden under Section 55(1) of the SIMR.<sup>21</sup> The absence of supporting evidence further highlights that there is no basis to justify an expedited review.

### **III. Conclusion**

18. For the aforementioned reasons, there is neither an evidentiary nor a substantive basis for CBSA to initiate an administrative review nor an expedited review for Alliance Steel. The CBSA should deny Alliance Steel's request for the issuance of normal values.

Yours truly,

Courtney Aucoin  
Conlin Bedard LLP

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<sup>21</sup> Alliance Steel's Non-Confidential Public Request for a Normal Value Review dated April 4, 2026.

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