

CBSA Notice of Final Determinations: Certain Upholstered Domestic Seating from China and Vietnam

On August 3rd, 2021, the Canada Border Services Agency (CBSA) made its final determination of dumping and subsidizing under the **Special Import Measures Act (SIMA)** of certain upholstered domestic seating originating in or exported from China and Vietnam.

Due to insignificant amounts of subsidy or no subsidy, the CBSA decided to terminate the subsidy investigation for certain exporters based on the below listing:

From China by the following exporters:

- *Anji Hengrui Furniture Co., Ltd., Anji Hengyi Furniture Co., Ltd., Dongguan Tianhang Furniture Co., Ltd., Foshan DOB Furniture Co., Ltd., Foshan Xingpeichong Huitong Furniture Co., Ltd., Gu Jia Intelligent Household Jiaying Co., Ltd., Haining Fanmei Furniture Co., Ltd., (Hangzhou) Huatong Industries Inc., HTL Furniture (China) Co., Ltd., HTL Furniture (Huai An) Co., Ltd., Jiaying Motion Furniture Co., Ltd., Man Wah Furniture Manufacturing (Huizhou) Co., Ltd., Natuzzi (China) Ltd., Ruihao Furniture MFG Co., Ltd, Shanghai Trayton Furniture Co., Ltd., Violino Furniture (Shenzhen) Ltd.*

From Vietnam, by the following exporters:

- *Delancey Street Furniture Vietnam Co., Ltd., Koda Saigon Co. Ltd., Timberland Co., Ltd., UE Vietnam Co., Ltd., Vietnam Hang Phong Furniture Company Limited, Wanek Furniture Co., Ltd., and Wendelbo SEA JSC.*

The same day, the CBSA has also made final determinations of dumping and subsidizing of certain upholstered domestic seating from China and Vietnam, with respect to exporters for which the investigations have NOT been terminated.

The **subject goods** are typically classified under the following **HS tariff classification numbers**:

HS classification	MFN duty rate
9401.40.00.00	9.50%
9401.61.10.10	9.50%
9401.61.10.90	9.50%
9401.71.10.10	8.00%
9401.71.10.90	8.00%

Please note that the SIMA provisional duties are in addition to any standard MFN duties payable based on the HS Code.

ACTIONS and LIABILITIES

Provisional duties will continue to be imposed on the imports of subject goods that were Customs released after May 5, 2021, per the margins as determined at the time of the preliminary determinations, to the date of the **Canadian International Trade Tribunal (CITT)'s decision, which will be issued by September 2, 2021.** The CITT will be continuing its inquiry on the question of injury to the domestic market.

Provisional countervailing duties will no longer be collected on imports of goods from exporters for whom the subsidy investigation was terminated, and any provisional countervailing duty paid, or security posted by these importers for those goods during the provisional period **will be refunded by CBSA.**

CITT FINDING IMPACTS

If the CITT finding determines that the dumped and subsidized goods have caused injury, CBSA will finalize the amounts of anti-dumping and countervailing duties payable during the provisional period, **any provisional duties paid in excess of the margin of dumping and amount of subsidy, per the final determinations, will be refunded by the CBSA.**

If the CITT finds that the subject goods have not caused or are not threatening to cause injury, all of the proceedings related to the dumped and subsidized goods will be terminated and subsequent imports will not be subject to anti-dumping and countervailing duties. **All provisional duties paid, or security posted by importers will be refunded by CBSA.**

FURTHER DETAILS AND INFORMATION

- The **full CBSA Notice of final determinations** showing the margins of dumping, amounts of subsidy and amount of subsidy per piece, broken down by exporter can be found in the following [Appendix](#).
- The **complete product definition** of the subject goods can be found in Appendix 1 of the original [CBSA notice](#) link.
- The [Statement of Reasons](#) will also be available for additional information about the investigations within 15 days from August 3rd.

Sources and French Version:

[CBSA Notice of Final Determination](#)
[CSCB Notice](#)

For any additional information regarding the application of provisional duties on subject goods imported into Canada, please refer to the **CBSA officers contact information:**

Kevin Lambertsen: 613-954-7341
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Schenker is here to assist you with any questions you may have and provide support with this process. We can analyze your imports to see if the goods you have imported may be part of the subject list.

Please contact our Consulting team consulting.canada@dbschenker.com