

UNITED STATES TARIFF COMMISSION

[AA1921-34]

TC Publication 123

March 31, 1964

PEAT MOSS FROM CANADA

Determination of No Injury or Likelihood Thereof

On January 14, 1964, the Tariff Commission was advised by the Assistant Secretary of the Treasury that Peat Moss, horticultural and poultry grades, from Atkins and Durbrow, Ltd., Vancouver, B.C., and Western Peat Company Ltd., New Westminster, B.C. (shipments from Manitoba plant only), Canada, is being, or is likely to be, sold in the United States at less than fair value as that term is used in the Antidumping Act. Accordingly, the Commission on January 16, 1964, instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended, to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Public notices of the institution of the investigation and of a public hearing to be held in connection therewith were published in the Federal Register (29 F.R. 518, 29 F.R. 1859, and 29 F.R. 2364). The hearing was held on March 16, 1964.

In arriving at a determination in this case, due consideration was given by the Commission to all written submissions from interested parties, all testimony adduced at the hearing, and all information obtained by the Commission's staff.

On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being, and is not likely to be, injured, or prevented from being established, by reason of the importation of peat moss, horticultural and poultry grade, from Atkins and Durbrow Ltd., Vancouver, B.C., and Western Peat Company Ltd., New Westminster, B.C. (shipments from Manitoba plant only), Canada, which was sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Statement of Reasons

The two named Canadian producers have exported substantial quantities of peat moss to the United States, a portion of which they sold at "less than fair value". Only an insignificant part of that portion was marketed in competition with domestic peat moss sold by any producer who represented to the Tariff Commission that he was injured thereby. When the two Canadian producers learned that the Treasury Department had determined that they were selling peat moss for export to the United States at less than fair value, they promptly adjusted their prices so as to eliminate all such sales. Therefore, since the sales at less than fair value were extremely limited, offered only insignificant competition with the domestic product, and were promptly eliminated, the Commission has found no injury nor likelihood thereof in this case.

This determination and statement of reasons are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission:

A handwritten signature in cursive script, appearing to read "Donn N. Bent".

Donn N. Bent
Secretary