4.3.2 Federal-Provincial Programs

4.3.2.1 Record of Performance Program

This program tested purebred swine to increase the efficiency of hog production. During the original investigation, Commerce found that as the program was limited to a specific group of industries, it was countervailable. In the first administrative review, Commerce decided that as the results of the program were available to other countries and industries, it was "generally available" and therefore not countervailable.

4.3.2.2 National Tripartite Stabilization Program

This program provided for cost-sharing schemes involving producers, the federal government and the provinces. The general terms were as follows: all participating hog producers received the same level of support per market-hog unit; the cost of the scheme was shared equally between the federal government, the provincial government and the producers; producer participation in the scheme was voluntary; the provinces were not to offer separate stabilization or assistance plans for hogs (with the exception of Quebec's FISI program); and the scheme was to operate at a level that limited losses but did not stimulate overproduction. Stabilization payments were made when the market price fell below the calculated support price. The difference between the support price and the market price was the amount of the stabilization payment.

Commerce determined that the program was *de facto* specific because benefits were being provided to a specific enterprise or industry, or group thereof. It was found countervailable in administrative reviews for the periods of 1991–1992, 1992–1993 and 1994–1995.

4.3.2.3 National Transition Scheme for Hogs

After termination of the National Tripartite Stabilization Program for hogs in July 1994, hog producers became eligible for the National Transition Scheme for Hogs, which provided for one-time payments to producers of hogs marketed from April 3, 1994, through December 31, 1994. The Transition Scheme provided payments to hog producers of C$1.50 per hog from the federal government and a matching C$1.50 from the provincial government. In the tenth administrative review, Commerce found this program to be *de jure* specific, and thus countervailable, because the agreement expressly limited its availability to a specific industry (swine producers). Commerce determined that the amounts provided by both the federal and provincial governments to the hog producers during that review period constituted a non-recurring grant.