

#### 4.2.8 Sunset Review

On November 4, 1999, Commerce released its negative final determination of the likelihood of continuation or recurrence of a countervailable subsidy in connection with the subject five-year review. Accordingly, on November 8, the five-year review of the countervailing duty order concerning live swine from Canada was terminated by the ITC.

### 4.3 Program Summary (Original investigation and administrative reviews)

#### 4.3.1 Federal Programs

##### 4.3.1.1 Feed Freight Assistance Program (FFA)

This program was intended to ensure: (1) the availability of feed grain to meet the needs of livestock feeders; (2) the availability of adequate storage space in Eastern Canada to meet the needs of livestock feeders; (3) reasonable stability in the price of feed grain in Eastern Canada to meet the needs of livestock feeders; and (4) equalization of feed grain prices to livestock feeders in Eastern Canada, British Columbia and the territories. Although the program was clearly designed to benefit livestock feeders, FFA payments were also made to grain mills that transformed the feed grain into livestock feed whenever these mills were the first purchasers of the grain.

Commerce found this program *de jure* specific and thus countervailable because benefits were available only to a specific group of enterprises or industries (livestock feeders and feed mills). Subsequently, an FTA Binational Panel (USA-91-1904-04) affirmed the Commerce determination.

The program was found countervailable in administrative reviews for the periods of 1991-1992, 1992-1993 and 1993-1994.

##### 4.3.1.2 Agricultural Stabilization Act (ASA) Hog Stabilization Programs

The ASA was enacted to provide for the stabilization of prices of certain agricultural products through the use of price support systems. The program offered different support mechanisms for certain products (including live swine). Commerce found that the program offered additional, specific benefits for certain products and industries, and thus that the support payments delivered to hog farmers were countervailable.

Prior to the first administrative review, the ASA was amended. Changes included an expanded list of commodities and the adoption of identical methodologies for the calculation of support for commodities. However, Commerce continued to find the ASA program countervailable, determining that only a limited number of commodities benefited from the program.