

The overseas manufacturer and exporter, as well as the importer of the product concerned, may offer evidence relevant to an anti-dumping application and express objections to it. Similarly, consumers and users of the imported product may express their opinion, since the Commission ultimately must determine whether the imposition of a duty is in the Community's interest. The Community has no statutory power to compel any person to furnish information, but it is in the interest of all parties that a decision should only be reached in the light of all relevant facts and considerations.

Representations may be made orally or in writing to the Commission. To facilitate these representations, a summary of the application is given on a confidential basis to all parties that have a bona fide interest in the case. There are no public hearings and normally no confrontations of the opposing parties.

Non-Tariff Barriers

Non-tariff barriers (NTBs) are measures and practices which may hinder trade, directly or indirectly. While they derive from legitimate concerns such as sanitary and safety regulations, they may restrict the free flow of goods. Now that trade barriers are being lowered through trade negotiations and freer trade is being encouraged, non-tariff barriers have much greater importance.

In the EEC, non-tariff barriers affecting the agricultural sector and the steel industry come under the jurisdiction of the Community as a whole. NTBs that affect industrial products are under the jurisdiction of individual member states.

Some of the non-tariff barriers that affect Canadian exports into EEC markets include phytosanitary and health certification, licensing, standards and government procurement policies.

Variable Levies. Variable import levies are applied to many agricultural products. Levies differ from product to product, but generally represent the difference between the world market price and the EEC support price, plus an additional amount to ensure that Community production receives preference.

Minimum Price Regulations. A minimum import, or reference price based on EEC market prices is applied to fresh apples, cherries, peaches, pears, plums, seed corn,