

It also provides a new opportunity for scrutiny into governmental policies affecting the subject merchandise, besides those initially investigated. As a result, the DOC may determine that "new" programs are countervailable, and amend the order to include a duty that offsets the benefits of these additional programs.

If the deposits collected during the review period are greater than the actual margin found, the DOC will refund the overpayments with interest. If the reverse occurs, the DOC will collect the underpayment with interest.

If, after the completion of a review, the DOC determines that the subsidy margin is below 0.5 per cent, then the margin is considered *de minimis* (i.e. too low to act upon) and the DOC waives the duty deposit requirement.

Canada requested the first administrative review of the softwood lumber countervailing duty order on July 30, 1993. The review will cover the period March 1992 to April 1993, and is intended to fix a final duty for shipments during that period.

Due to statutory deadlines, and notwithstanding the ongoing legal appeals under the FTA, Canada filed a request with the DOC on August 1, 1994, for an administrative review for the period April 1, 1993 to March 31, 1994.

The results of final determinations of administrative reviews are subject to binational panel review under Chapter 19 of the North American Free Trade Agreement (NAFTA).

As a result of the December 15, 1994 announcement, the administrative review will be terminated.

GATT SUBSIDIES CODE PANEL

A GATT Subsidies Code Panel was established in December 1991 at Canada's request, to determine whether the U.S. actions were consistent with U.S. international trade obligations. The Panel found that the U.S. had violated its obligations when it imposed the Section 301 interim bonding requirements, but that it possessed sufficient evidence to initiate the CVD investigation. The Panel report was adopted by the GATT Subsidies Code Committee on October 27, 1993. On October 19, 1994, the USTR published in the U.S. Federal Register a notice to terminate the Section 301 action, and to release the existing bonds.