

Update on the United States Investigations on Seasonal Products

US International Trade Commission (USITC) global safeguard investigation on imports of blueberries

- The United States' global safeguard investigation on imports of blueberries is ongoing and the Government of Canada is continuing to work closely with a number of provincial governments as well as industry stakeholders on this case.
- To-date, a number of steps in the investigation process have taken place:
 - Canadian blueberry producers and exporters completed questionnaires circulated by the USITC.
 - On December 30, 2020, Canada's legal counsel submitted a "pre-hearing" brief.
 - Canada participated in a hearing held by the USITC on January 12, 2021. During this hearing, several Canadian witnesses (industry representatives, legal counsel and economic experts) had the opportunity to make statements and to answer questions posed by the Commissioners. The Minister Counsellor responsible for Economic and Trade Policy with the Canadian Embassy in Washington also provided a statement.
 - On January 19, 2021, Canada's legal counsel submitted a "post-hearing" brief, in which Canada had the opportunity to address any issues and questions that arose during the hearing.
- The USITC will make its injury determination by February 11, 2021, which will be followed by the remedy stage of the investigation (if there is a positive injury determination). The USITC will submit its report and recommendation to the President by March 29, 2021. The President then has 60 days (by May 27, 2021) to decide whether to follow the USITC's recommendation.

USITC ongoing investigations on bell peppers and strawberries

- These fact-finding investigations were both launched by the USITC on December 2, 2020.
- The fact-finding investigations for bell peppers and strawberries will not themselves result in any trade remedy measures being put in place by the U.S. However, USTR has expressly requested that, as part of its monitoring process, the USITC collect and analyze information relevant to launching expedited global safeguard investigations for these products. It is therefore likely that following 90 days of "fact-finding", a request will be made to convert these from fact-finding investigations into global safeguard investigations.
- The Government of Canada has retained legal counsel for both of these investigations.
- Canada's legal briefs for the fact-finding portions of these investigations were submitted on January 15, 2021.

USITC ongoing investigations on cucumbers and squash

- On January 8, 2021, the USITC launched fact-finding investigations on U.S. imports of cucumbers and squash.
- Unlike the investigations recently launched by the USITC on bell peppers and strawberries, these are not monitoring investigations for the explicit purpose of then pursuing expedited global safeguard investigations. The USITC makes no recommendations on policy or other matters.
- The Government of Canada does not plan to retain legal counsel for these investigations, but does plan to actively participate in these cases.