

## **Wheat Gluten Imports from Australia, Austria, Belgium, France, Germany and Lithuania Targeted by Canadian Anti-Dumping Investigation**

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On 14 August 2020 the Canada Border Services Agency (CBSA) **initiated an anti-dumping investigation** respecting the alleged injurious dumping of certain wheat gluten from Australia, Austria, Belgium, France, Germany and Lithuania. The investigation was prompted by a complaint filed by ADM Agri-Industries. Wheat gluten consists of natural protein found in wheat. It is used as an ingredient in a broad range of food products.

Together with the **Notice of the Initiation of Investigation**, the CBSA has published the **Investigation Schedule**. Responses to the CBSA's request for information (RFI) questionnaires are due September 7th for importers and September 21st for exporters. Publication of the CBSA's preliminary determination is expected on or about November 12th. On that date, provisional anti-dumping duties could be imposed on imports of wheat gluten from the above-referenced countries.

### **Product definition**

The subject goods are defined as follows:

Wheat gluten, whether or not blended with wheat flour, salt or any other substance, with a minimum wheat protein content of 40% by weight on a dry basis calculated using a Jones Factor of 5.7, originating in or exported from Australia, Austria, Belgium, France, Germany and Lithuania, but excluding (i) devitalized wheat gluten; (ii) hydrolyzed wheat gluten; (iii) wheat protein isolates; and (iv) organic wheat gluten that is certified organic in accordance with and otherwise meets the requirements of the Food and Drugs Act, R.S.C.,

1985, c. F-27, and regulations made thereunder, and the Safe Food for Canadians Act, S.C. 2012, c. 24, and regulations made thereunder including the Safe Food for Canadians Regulations, S.O.R./2018-108, all of which as may be amended or replaced from time to time.

For greater certainty, the subject goods include but are not limited to vital wheat gluten as defined by the World Health Organization's Codex Standard 163-1987, Rev. 1-2001 ("Standard for Wheat Protein Products Including Wheat Gluten").

Tereposky & DeRose has extensive experience in anti-dumping investigations. Should you have any questions regarding this investigation, we are at your disposal.

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