



# INTERNATIONAL CHEESE COUNCIL OF CANADA

July 23, 2021

CUSMA Secretariat,  
Canadian Section (TCT)  
111 Sussex Drive, 5th Floor  
Ottawa, ON Canada  
K1A 0G2

Dear Secretariat,

On behalf of the International Cheese Council of Canada (ICCC), I am writing to convey our formal request to provide written views in the dispute concerning Canada's allocation of dairy tariff-rate quotas (TRQs).

Based in Ottawa (Canada), the ICCC is an association of small- and medium-sized cheese importers and producers which has existed since 1976. Our Members are Canadian importers of cheese; our Associate Members include cheese producers from various countries, including the United States, which have entered into international trade treaties with Canada. Our association works tirelessly on behalf of its Members and Associate Members to ensure that Canada's cheese TRQs are put in the hands of those most likely to use it (i.e., traditional importers), as such an outcome consistently increases quota fill rates – to everyone's benefit. The ICCC is a not-for-profit corporation which draws its revenues exclusively from membership and associate membership yearly fees. Our membership list is included below:

ICCC Members	ICCC Associate Members
<ul style="list-style-type: none"><li>• Bosa &amp; Co. Ltd. (Bosa Foods)</li><li>• B.Terfloth &amp; CIE (Canada) Ltd.</li><li>• Colombo Importing Ltd.</li><li>• Dancheese Ltd.</li><li>• Finica Foods Specialties Ltd.</li><li>• Jan K. Overweel Limited</li><li>• Krinos Foods Canada Ltd.</li><li>• Norseland Inc.</li><li>• Ronald A. Chisholm Limited</li><li>• Switzerland Cheese Marketing Inc.</li><li>• Top's Importing Ltd.</li><li>• Tree of Life Canada ULC</li></ul>	<ul style="list-style-type: none"><li>• Ambrosi SpA</li><li>• Cono Kaasmakers</li><li>• Coombe Castle International Ltd.</li><li>• Fonterra</li><li>• Friesland Campina Consumer Dairy North America</li><li>• IGOR s.r.l.</li><li>• Sartori Cheese</li><li>• Snowdonia Cheese Company</li><li>• Swissexport</li><li>• Zanetti SpA</li></ul>

If we are granted the opportunity to provide written views, the ICCC's submission will address the following specific issues of fact and law:

- First, we will argue that the manner in which Canada administers its cheese TRQs fails to meet the terms as outlined in CUSMA. Specifically, Canada is in breach of its CUSMA commitments as: 1) it is setting aside and reserving 85% of the CUSMA Cheese of All Types TRQ exclusively for processors; and 2) its allocations are not made in economically-viable quantities.
- Second, as our Members are long-time quota-holders, we will share their experience with Canada's TRQ system and its TRQ allocation methods.
- Third, we will provide insights into the negative effects that Canada's approach to TRQ allocation and administration has had on our Canadian Members, their suppliers (i.e., U.S.-based Associate Members) and their businesses.
- Fourth we will address how Canada should allocate and administer its TRQs.



## INTERNATIONAL CHEESE COUNCIL OF CANADA

We are best positioned to assist the panel in the determination of the dispute's outcome by contributing our experience, perspective and insight. First, as the only association in Canada *exclusively* dedicated to the importation of cheese into Canada, we can provide a singular perspective that is shaped by our Members' long-term involvement in the cheese quota business. Moreover, we represent both Canadian importers and their American suppliers, therefore, we are able to share a multijurisdictional perspective on this matter. Our Members are also uniquely positioned to provide their views due to their unique role in the international marketplace and in Canada's economy. For over 40 years, they have built a stellar track record of responsible stewardship of Canada's cheese tariff rate quota (TRQ) by consistently meeting annual activity tests and maximizing fill rates as well as breaking ground in new markets.

Lastly, the ICCC does not have a direct or indirect relationship with either Parties. In the preparation of its application, the ICCC was assisted by its government relations firm, Public Affairs Advisors (based in Ottawa). PAA helped the ICCC draft the letter at hand. Should the ICCC be selected to provide its written views as part of the dispute, PAA will continue to provide substantive and administrative support to the ICCC.

We would welcome the opportunity to provide a submission as part of the proceedings to ensure that our Members' and Associate Members' interests are represented through the dispute settlement process.

Sincerely,

**Patrick Pelliccione**  
**Chairman, International Cheese Council of Canada**  
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**CC:** Joe Dal Ferro, Vice-Chair, International Cheese Council of Canada  
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