

Date: 20100921

Docket: A-279-09

Citation: 2010 FCA 236

**CORAM: NADON J.A.
SEXTON J.A.
MAINVILLE, J.A.**

BETWEEN:

AUTOMED TECHNOLOGIES INC.

Appellant

and

THE PRESIDENT OF THE CANADA BORDER SERVICES AGENCY

Respondent

Heard at Ottawa, Ontario, on September 21, 2010.

Judgment delivered from the Bench at Ottawa, Ontario, on September 21, 2010.

REASONS FOR JUDGMENT OF THE COURT BY:

NADON J.A.

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REASONS FOR JUDGMENT OF THE COURT
(Delivered from the Bench at Ottawa, Ontario, on September 21, 2010)

NADON J.A.

[1] Notwithstanding Mr. Kaylor’s forceful arguments, we are all of the view that, on the record before us, the Canadian International Trade Tribunal (the “CITT”) made no reviewable error in concluding that the goods in issue should be classified under tariff item no. 3920.99.91, i.e.: “... other plastics... [o]f polymers of tetrafluoroethylene, of epoxide resins, of polyurethanes or of polyvinylidene chloride.”

[2] In other words, we have not been persuaded that the CITT’s decision is unreasonable.

[3] Consequently, the appeal will be dismissed with costs.

“M. Nadon”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-279-09

STYLE OF CAUSE: AUTOMED TECHNOLOGIES INC.
v. THE PRESIDENT OF THE
CANADA BORDER SERVICES
AGENCY

PLACE OF HEARING: Ottawa, Ontario

DATE OF HEARING: September 21, 2010

REASONS FOR JUDGMENT OF THE COURT BY: NADON, SEXTON, MAINVILLE
JJ.A.

DELIVERED FROM THE BENCH BY: NADON J.A.

APPEARANCES:

Mr. Michael Kaylor FOR THE APPELLANT

Mr. Lorne Ptack FOR THE RESPONDENT

SOLICITORS OF RECORD:

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