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APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901* FOR A REVIEW OF ANTI-DUMPING MEASURES

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In accordance with section 269ZA of the *Customs Act 1901* (the Act), I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1.  **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

- normal value  
 export price  
 non injurious price  
 subsidy

The changes of variable factors are likely to persist because the price of pineapple still at high level from now from decrease of pineapple plantation area in Thailand.

The variable factors review is in relation to:

- a particular exporter (*if so provide name and country details*)  
Natural Fruit Co., Ltd. Thailand  
 exporters generally

**or**

2.  **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

- the dumping duty notice  
 the countervailing duty notice  
 the undertaking

The revocation review is in relation to:

- a particular exporter (*if so provide name and country details*)  
 exporters generally


**NOTE**

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

## DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature: 

Name: Ms. Rungporn Sotjaritvorakul

Position: Marketing Manager

Company: Natural Fruit Co., Ltd.

ABN: -

Date: 19 July 2016

## REQUIRED INFORMATION

### Applicant

Natural Fruit Co., Ltd.  
179/12 Moo 11 T.Nhongtatam, A.Pranburi  
Prachuapkirikhan 77120 Thailand

### Contact Person

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### Other parties supporting this application

None

### Applicant's interest

Natural Fruit is the manufacturer whose exportation their product from Thailand to Australia

Details of the current anti-dumping measures

Product: FSI pineapple  
Tariff classification: 2008.20.00  
County of company: Thailand  
Review of Anti-Dumping Measures Date: 8 May 2013

### Grounds for anti-dumping review

Natural Fruit cooperated and provided evidence during customs visit in the past until proved that they are not concerned with dumping, they export FSI pineapple to Australia with anti-dumping [REDACTED] in 2015.

In July 2016, Natural Fruit learned from customer that they already missed the opportunity to participate in the recently review at the first half this year, while still have some pending contract with Australian customer, this may cause from lost communication in email system and then not hesitate to contact anti-dumping commission to open for the review again as believe that Natural Fruit is not concerned with dumping.

### Background

Since Natural Fruit got [REDACTED] anti-dumping rate in the past, and they are very careful to prevent the dumping any cases, so they should not be counted in dumping as the following reasons:

- The export portion to Australia market is quite small, Natural Fruit export only [REDACTED] of their product in 2014, and [REDACTED] in 2015. This is very small different, compared with the whole sales volume.
- Their export prices have increased steadily along 2015 due to the shortage of pineapple supply in Thailand.
- High demand in other markets, while the price was also increased, so there are no reason to dump the price for Australian market.

Hence, Natural Fruit would like to provide this information for you to consider the review and will provide further information upon your request.

### **Export to Australia**

As the attached spreadsheet, all products that exported to Australian market are FSI pineapple, most of that are canned pineapple tidbit with net weight 3060g. With [REDACTED] AD rate, the average export price during January – December 2015 is THB [REDACTED] per kg ; FOB Bangkok

### **Domestic sales**

The price for Domestic sales in spreadsheet is THB [REDACTED] per kg ; FAS Bangkok, but this also include some price of different product, it is canned pineapple tidbit [REDACTED] cut that the price is higher than normal tidbit spec which export to Australia market. It can be separate by the product code like “NP” or “SP” (while the product code for normal tidbit should be “NT” or “ST”), so if compared just the same product by separate those items, the price for Domestic sales will be THB [REDACTED] per kg ; FAS Bangkok

### **Normal value**

The normal value can be considered from average price for third country sales as the portion is bigger than domestic and can represent for the normal value. It is THB [REDACTED] per kg ; FOB Bangkok as per the details in attached spreadsheet.

### **Dumping margin**

From provided information in the attached spreadsheet, the portion of third country export is higher than Australia export, while domestic sales is just small part. So, we would like to compare between third country price and Australian export price, and then the dumping margin for the period 1 January 2016 to 31 December 2016 can be calculated as follows:

	(THB/kg)
Normal value	[REDACTED]
Export price	[REDACTED]
Dumping margin	[REDACTED]

### **Other interest parties**

Golden Circle Ltd, the sole Australian manufacturer, is likely to have an interest in this matter.