



Australian Government
**Australian Customs and
Border Protection Service**

AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2012/53

Processed Dried Currants

Exported from Greece

Initiation of a review of measures

The Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) will review the current level anti-dumping measures in respect of processed dried currants exported from Greece by Agricultural Co-Op Union Aeghion (Aeghion) pursuant to Section 269ZC of the *Customs Act 1901* (The Act). The review will commence on 24 October 2012.

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are:

- processed dried currants of the grape variety *Vitis Vinifera L. Black Corinth*. Sultanas, muscat raisins, unprocessed currants or blended dried fruit mixtures are excluded from the measures.

Processed dried currants are correctly classified to tariff subheading 0806.20.00, statistical code 29 in Schedule 3 of the *Customs Tariff Act 1995 (Cth)*. The rate of duty for the goods exported from Greece is 5%.

Background to the measures

Anti-dumping measures were imposed on processed dried currants from Greece on 14 January 2009 following Trade Measures Report No. 140. All exporters of processed dried currants from Greece were subject to interim dumping duties.

After measures were imposed, the Trade Measures Review Officer (TMRO) accepted applications for a review of the decision taken by the Minister for Home Affairs (the Minister) to impose measures. Following the review, the Minister accepted the recommendations of the TMRO and subsequently wrote to the Chief Executive Officer of CEO requiring him to reinvestigate the original findings.

Following its reinvestigation, Customs and Border Protection set out its findings in Reinvestigation Report 149. The Minister accepted those findings and published a notice on 17 November 2009 reaffirming the decision to publish a dumping duty notice.

The measures have not been reviewed since they were imposed, and subsequently reaffirmed.

The current review

Customs and Border Protection initiated this review after a request was made by Frutex Australia Pty Limited to the CEO¹ to review the measures as they affect the nominated exporter, Aeghion, of processed dried currants from Greece, as one or more of the variable factors relevant to the taking of the measures in relation to the exporter may have changed.

The CEO decided not to reject the application, the reasons for which are set out in Consideration Report No. 192 available at www.customs.gov.au. A notice indicating that it is proposed to review the measures was published in *The Australian* on 24 October 2012.

The review period is 1 October 2011 to 30 September 2012 and covers exports of the subject goods to Australia by Aeghion.

The review will examine changes to the variable factors applying to Aeghion and will not examine whether the measures as they relate to Aeghion are no longer warranted. However, if an affected party considers that it can provide evidence that may satisfy the CEO that there are reasonable grounds for determining that the anti-dumping measures are no longer warranted that party may, within 40 days of the commencement of this review, request that the CEO consider such evidence. The application form to extend the review to include whether the measures are no longer warranted can be found at the Customs and Border Protection website at www.customs.gov.au.

After concluding the review, Customs and Border Protection will recommend to the Minister that the dumping duty notice:

- i. remain unaltered; or
- ii. be revoked, in part or generally; or
- iii. have effect as if different variable factors had been ascertained.

A recommendation to revoke the measures may only be made if the review has been extended accordingly.

Lodgement of submissions

Interested parties are invited to lodge written submissions concerning this review not later than 15 November 2012 with:

The Director
Operations 1, Trade Measures Branch
Customs and Border Protection
5 Constitution Avenue
Canberra ACT 2601

Or by email tmops1@customs.gov.au, or by fax number 02 6275 6990.

¹ In accordance with s.269ZA(1) of the Act.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that the CEO is not obliged to have regard to a submission received by Customs and Border Protection after the end of the period mentioned above if to do so would, in the CEO's opinion, prevent the timely placement of the statement of essential facts on the public record.

The CEO must maintain a public record of each inquiry and review. The public record must contain, among other things, a copy of all submissions from interested parties (letters and electronic mail are generally regarded as "submissions" if they contain information relevant to the inquiry or review).

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- satisfy the CEO that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "For Official Use Only".

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above. In either case, interested parties must provide two copies of each for the public record.

Interested parties wishing to examine the public record may do so on the internet at adpr.customs.gov.au/Customs or at Customs House, 5 Constitution Avenue, Canberra ACT during business hours by contacting Trade Measures office management on telephone number 02 6275 6547. Consideration Report 191 and all Australian Customs Dumping Notices are also available on the Customs and Border Protection website at www.customs.gov.au.

Statement of essential facts and final report

A statement of the essential facts for the review of measures, on which the CEO proposes to base recommendations to the Minister for Home Affairs (the Minister), will be placed on the public record by 28 January 2013 (or such longer period as the Minister allows²). Interested parties are invited to lodge submissions in response to the statement of essential facts within 20 days of the statement being placed on the public record. Submissions to the statement of essential facts should also be lodged with Customs and Border Protection at the above mail, fax or email addresses.

A report and recommendation to the Minister in relation to the review of measures will be made on or before 5 March 2013 (or such longer period as the Minister allows³).

² In accordance with s.269ZHI of the Act.

³ In accordance with s.269ZHI of the Act.

Customs and Border Protection contact

Enquires concerning this notice may be directed to the case team on telephone 02 6275 5827 or email tmops1@customs.gov.au

Kim Farrant
National Manager
Trade Measures Branch
24 October 2012