



***Customs Act 1901 – Part XVB***

**PREPARED OR PRESERVED TOMATO PRODUCTS**

**Exported from Italy**

**Initiation of an Investigation into Alleged Dumping**

***Public notice under section 269TC of the Customs Act 1901***

The Anti-Dumping Commissioner (the Commissioner) has initiated an investigation following an application lodged by SPC Ardmona Operations Limited (the applicant), a manufacturer of prepared or preserved tomato products in Australia. The application seeks the publication of a dumping duty notice in respect of prepared or preserved tomatoes exported to Australia from Italy.

The goods subject of the application are prepared or preserved tomatoes exported to Australia from Italy in packs not exceeding 1.14 Litres ("the goods"). A full description of the goods is available in Australian Dumping Notice (ADN) No.2013/59. This ADN is available on the internet at [www.adcommission.gov.au](http://www.adcommission.gov.au).

The goods are currently classified to the tariff subheading 2002.10.00 (statistical code 60) of Schedule 3 to the *Customs Tariff Act 1995*. These goods exported from Italy are subject to 5% Customs duty.

The application alleges that the goods have been exported to Australia at prices less than their normal value and that the dumping of these goods has caused material injury to the Australian industry through:

- loss of sales volume;
- reduced market share;
- reduced revenues;
- price depression;
- price suppression;
- reduced profits;
- reduced profitability;
- reduced assets for production;
- reduced capital investment; and
- reduced attractiveness for reinvestment in the tomato processing business.

The non-confidential version of the application, which contains the basis of the alleged dumping is available on the public record.

The Commissioner specifies that the goods exported to Australia during the period 1 July 2012 to 30 June 2013 will be examined to determine whether dumping has occurred. The Australian market will be examined from 1 January 2009 for injury analysis.

The date of initiation of this investigation is the date of publication of this notice.

Interested parties, as defined by subsection 269T(1) of the *Customs Act 1901* (the Act), are invited to lodge submissions concerning the publication of the dumping duty notice sought in the application, no later than the close of business on 19 August 2013 addressed to:

The Director  
Operations Team 1  
Anti-Dumping Commission  
Customs House  
5 Constitution Avenue  
CANBERRA ACT 2601

Or by email [operations1@adcommission.gov.au](mailto:operations1@adcommission.gov.au) or by fax to 1300 882 506.

ADN 2013/59 containing important procedural details is available at [www.adcommission.gov.au](http://www.adcommission.gov.au) and should be read in conjunction with this notice.

Particulars of the reasons for the decision to initiate this investigation are shown in Anti-Dumping Commission Consideration Report No.217, which has been placed on the Commission's public record.

Documents included in the public record are available at [www.adcommission.gov.au](http://www.adcommission.gov.au). Alternatively, the public record may be examined at Customs House by contacting the Case Manager on the details provided below.

Enquiries about this notice may be directed to the case manager on telephone number (02) 6274 4948, fax number 1300 882 506 or [operations1@adcommission.gov.au](mailto:operations1@adcommission.gov.au)

Scott Wilson  
A/G National Manager Operations  
Anti-Dumping Commission

10 July 2013