



## **ANTI-DUMPING NOTICE NO. 2014/96**

### **Prepared or Preserved Tomatoes Exported to Australia from Italy**

### **Termination of Accelerated Review of Anti-Dumping Measures**

#### ***Customs Act 1901 – Part XVB***

On 29 August 2014, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commission), initiated an accelerated review of the anti-dumping measures applying to prepared or preserved tomatoes exported to Australia from Italy in so far as they relate to Coppola Foods Ltd.

Anti-Dumping Notice (ADN) No. 2014/79 was published to notify interested parties of the accelerated review, and is available at [www.adcommission.gov.au](http://www.adcommission.gov.au). I did not reject the application and commenced the accelerated review. A declaration under paragraph 269ZH(b) of the *Customs Act 1901* (the Act) was made to ensure securities in respect of interim dumping duty that may be payable on exports by Coppola Foods Ltd of prepared or preserved tomatoes were collected for the period of the review.

#### **Termination Grounds**

Coppola Foods Ltd wrote to the Commission on 19 September 2014 advising that it will not be able to provide information required by the Commission and requested that the Commission terminate its application for an accelerated review.

I consider that the failure to provide information requested by the Commission pertinent to the accelerated review amounts to a refusal to co-operate with an aspect of the accelerated review. I am satisfied that Coppola Foods Ltd is refusing to cooperate with an aspect of the review and I have, for that reason, terminated the accelerated review in accordance with paragraph 269ZE(3)(a) of the Act.

*Termination Report No. 260*, which contains further details on this matter, has been placed on the Commission's public record and is accessible at [www.adcommission.gov.au](http://www.adcommission.gov.au).

### Effect of the termination of the accelerated review

Termination of this accelerated review means that securities taken on prepared or preserved tomatoes exported by Coppola Foods Ltd and entered for home consumption in the period 28 July 2014 to 3 October 2014 will now be converted to interim dumping duty.

The effective rates of duty are at the 'All other exporters' rate specified in the dumping duty notice published by the Commission on 16 April 2014. These rates can be found on the Commission's website and is accessible at [www.adcommission.gov.au](http://www.adcommission.gov.au). Future exports of prepared or preserved tomatoes by Coppola Foods Ltd will also be subject to this duty rate.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 9244 8070, fax number +61 3 9244 8902 or email [Operations1@adcommission.gov.au](mailto:Operations1@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

3 October 2014