



ANTI-DUMPING NOTICE NO. 2014/122

Prepared or Preserved Tomatoes

Exported from Italy

Termination of Accelerated Review of Anti-Dumping Measures

Customs Act 1901 – Part XVB

On 25 September 2014, I, Dale Seymour, the Commissioner of the Anti-Dumping 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 Consorzio Casalasco Del Pomodoro S.A.C. (CCDP).

I did not reject the application and commenced the accelerated review. A declaration under subsection 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 CCDP of prepared or preserved tomatoes were taken for the period of the review.

Anti-Dumping Notice (ADN) No. 2014/95 was published to notify interested parties of the accelerated review, and is available at www.adcommission.gov.au.

Termination Grounds

On 29 August 2014, CCDP was sent an exporter questionnaire to complete by 6 October 2014. Although a response to the exporter questionnaire was received by the due date, the Anti-Dumping Commission (the Commission) found the response to be incomplete.

On 15 October 2014, CCDP advised that it wished to withdraw its application for the accelerated review.

I consider that the failure to provide a substantially compliant response to the exporter questionnaire pertinent to the accelerated review amounts to a refusal to co-operate with an aspect of the accelerated review. I am satisfied that CCDP is refusing to co-operate with an aspect of the review and I have, for that reason, terminated the accelerated review in accordance with subsection 269ZE(3)(a) of the Act.

Termination Report No. 268, which contains further details on this matter, has been placed on the Commission's public record and is accessible at 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 CCDP and entered for home consumption in the period 26 August 2014 to 3 November 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. Future exports of prepared or preserved tomatoes by CCDP 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 8609, fax number +61 3 9244 8902 or email Operations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

3 November 2014