



ANTI-DUMPING NOTICE NO. 2017/46

Certain Prepared or Preserved Tomatoes

**Exported to Australia from the Republic of Italy by AR Industrie
Alimentari S.p.A**

Findings in Relation to a Review of Anti-Dumping Measures

Notice under subsection 269ZDB(1) of the Customs Act 1901

The Commissioner of the Anti-Dumping Commission has completed a review, which commenced on 21 April 2016, of the anti-dumping measures applying to certain prepared or preserved tomatoes (the goods) exported to Australia from the Republic of Italy (Italy) AR Industrie Alimentari S.p.A. (ARIA). The review was limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect ARIA have changed.

Recommendations resulting from that review, reasons for the recommendations and material findings of fact and law in relation to the review are contained in *Anti-Dumping Commission Report Nos. 349 and 354* (REP 349/354).

I, CRAIG LAUNDY, the Assistant Minister for Industry, Innovation and Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science¹ have considered REP 349/354 and have decided to accept the recommendations and reasons for the recommendations, including all the material findings of facts and law set out in REP 349/354.

Under subsection 269ZDB(1)(a)(iii) of the *Customs Act 1901* (the Act), I declare that, for the purposes of the Act and the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act), that, with effect from the date of publication of this notice the dumping duty notice currently applying to the goods exported to Australia from Italy by ARIA is to be taken to have effect as if different variable factors (being the export price, normal value and non-injurious price) had been fixed in respect of ARIA, relevant to the determination of duty.

Particulars of the dumping margin established for ARIA and the effective rate of duty is set out in the following table.

Exporter	Fixed rate of duty	Duty Method
ARIA	17.8%	combination of fixed and variable duty

¹ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this decision the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Anti-Dumping Commission (the Commission) business.gov.au on 132846 or +61 2 6213 6000 or at clientsupport@adcommission.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

To preserve confidentiality, details of the revised variable factors such as Ascertained Export Price (AEP) and Normal Value and Non-Injurious Price (NIP) will not be published.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel (www.adreviewpanel.gov.au) in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

The Anti-Dumping Review Panel can be contacted by mail, phone, fax or email:

Anti-Dumping Review Panel
c/o Legal, Audit and Assurance Branch
Department of Industry, Innovation and Science
10 Binara Street
CANBERRA CITY
ACT 2601, AUSTRALIA
Phone: +61 2 6276 1781
Fax: +61 2 6213 6821
Email: ADRP@industry.gov.au

REP 349/354 has been placed on the Commission's public record. The public record may be examined at www.adcommission.gov.au. Alternatively, the public record may be examined at the Commission's office during business hours by contacting the case manager on the details provided below.

Enquiries about this notice may be directed to the case manager on telephone number (03) 8539 2467, fax number +61 3 8539 2499 (outside Australia) or email operations1@adcommission.gov.au

Dated this ^{4th} day of ^{May} 2017



CRAIG LAUNDY
Assistant Minister for Industry, Innovation and Science
Parliamentary Secretary to the Minister for Industry, Innovation and Science