



ANTI-DUMPING NOTICE NO. 2018/122

Certain consumer pineapple

Exported to Australia from the Kingdom of Thailand

Findings in Relation to a Review of Anti-Dumping Measures

***Notice under subsection 269ZDB(1) of the Customs Act 1901
and subsection 8(5) of the Customs Tariff (Anti-Dumping) Act 1975***

The Commissioner of the Anti-Dumping Commission has completed a review, which commenced on 24 November 2017, of the anti-dumping measures applying to certain consumer pineapple (the goods) exported to Australia from the Kingdom of Thailand (Thailand) by Kuiburi Fruit Canning Co., Ltd (KFC) and Kuiburi Fruit Cup Co., Ltd. (KFCup). The review was limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect KFC and KFCup should be varied.

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 No. 455 (REP 455)*.

I, KAREN ANDREWS, the Minister for Industry, Science and Technology¹ (the Minister) have considered REP 455 and have decided to accept the recommendations and reasons for the recommendations, including all the material findings of facts or law set out in REP 455.

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 Thailand is to be taken to have effect as if different variable factors had been fixed in respect of KFC and KFCup, relevant to the determination of duty.

I, KAREN ANDREWS, the Minister, DETERMINE, pursuant to subsection 8(5) of the Dumping Duty Act, that the interim dumping duty on the goods exported to Australia by KFC and KFCup be an amount worked out in accordance with the floor price duty method pursuant to subsections 5(4) and (5) of the *Customs tariff (Anti-Dumping) Regulation 2013* with effect from the date of publication of this notice.

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

¹ For the purposes of this decision the Minister is the Minister for Industry, Science and Technology.

Exporter/country	Dumping margin	Effective rate of interim dumping duty	Duty method
<i>Kuiburi Fruit Canning Co., Ltd and Kuiburi Fruit Cup Co., Ltd</i>	-9.7%	0%	<i>floor price duty method</i>

To preserve confidentiality, details of the revised variable factors such as ascertained export price, ascertained normal value and ascertained non-injurious price will not be published.

The floor price set for KFC and KFCup is also confidential. Genuine importers who wish to know the floor price relevant to the determination of interim dumping duties, should contact the Anti-Dumping Commission (the Commission) 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.

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 455 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 +61 3 8539 2478, fax number +61 3 8539 2499 (outside Australia) or email Investigations3@adcommission.gov.au.

Dated this 6th day of September 2018.

KAREN ANDREWS
Minister for Industry, Science and Technology