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**NON-CONFIDENTIAL**

Mr Con Soumbassis  
Anti-Dumping Commission  
Melbourne Vic 3000

### **Continuation Inquiry – FSI Pineapple from The Philippines and Thailand**

This submission is made on behalf of Kuiburi Fruit Canning Co Ltd ("KFC") in response to the application by Golden Circle for the continuation of interim dumping duties applying to food service and industrial ("FSI") pineapple exported from Thailand.

Dumping duties were first initiated in 2001. Subsequent continuation inquiries and reviews have occurred in 2006 and 2011.

The Food & Beverage Importers Association submitted in 2011 that if the application then was successful, it would result in anti-dumping measures being in place for 15 years, which was pointed out, would then surely be a case of long term industry protection, which is not the purpose of anti-dumping measures. Now, in 2016, there is a further continuation inquiry which, if successful, would result in anti-dumping measures being in place for 20 years, which reinforces the point made by the FBIA .

Looking at points made in Golden Circles submissions and the ADC verification report we note the following:-

Golden Circle has supplied evidence of tenders where it has claimed lost sales to import prices that were lower than previous contracts and at a price point that Golden Circle was unable to compete profitably. KFC set their average selling price based on raw material cost. Their records show the average selling price of sales to Australia increasing approx. 25% in 2015 over 2014. Dumping cannot therefore be the cause.

Golden Circle has higher prices than undumped imports from Thailand, which can mainly be attributed to lower labour and raw material costs due to economy of scale.

It must be obvious that the imposition of anti-dumping measures are not removing the material injury being suffered by Golden Circle. Therefore, causes other than dumping should be canvassed to remove the injury as the effectiveness of the measures is plainly missing.

As Golden Circle has not been able to compete with imports for the last 15 years with dumping duties in place it must be found that the continuation of measures for another 5 years would still be ineffective to Golden Circles needs and should not be continued.

Yours sincerely'



John McDermott