



Golden Circle Limited (ABN 85 054 355 618)
260 Earnshaw Rd P.O. Box 106 Telephone + 617 3266 0000
Northgate Virginia Facsimile + 617 3266 0789
QLD 4013 Australia QLD 4014 Australia Website www.goldencircle.com.au

10 June 2016

Public File Version

Mr Con Soumbassis
Case Manager
Anti-Dumping Commission
Level 35, 55 Collins Street
Melbourne Victoria 3000
By email: con.soumbassis@adcommission.gov.au

Dear Mr Soumbassis

Continuation Inquiries 333 and 334 – Consumer and FSI pineapple exported from the Philippines and Thailand – Unsuppressed Selling Price

1. Introduction

I refer to the recent verification visit by the Anti-Dumping Commission (the **Commission**) at Golden Circle Limited (**GCL**) for the purposes of investigating GCL's application for the continuation of anti-dumping measures on consumer and Food Service Industry (**FSI**) pineapple exported from the Philippines and Thailand.

During the visit, the Commission raised with GCL what it considered to be an appropriate basis for an unsuppressed selling price (**USP**) upon which non-injurious prices (**NIP**) may be determined. GCL indicated that it would advise the Commission of its preferred methodology.

2. Unsuppressed Selling Price

In the most recent investigations involving accelerated reviews of measures on consumer and FSI pineapple exported to Australia by Prime Products Industry Co., Ltd (**Prime Products**) of Thailand (Reports No. 296 and 295 respectively) the Commission discussed the basis for a non-injurious price with regards to exports of FSI by the applicant Prime Products.

The Commission stated the following:¹

“In Review No. 196 the then Customs and Border Protection Service established the [non-injurious price] NIP for FSI pineapple by using the industry's cost to make and sell during the review period plus an amount for profit. This is the most recent NIP calculated for FSI pineapple exported from Thailand and represents the best information available to the Commission for the purposes of the accelerated review.”

¹ Final Report No. 295, P.13.

As Prime Products had no exported consumer pineapple to Australia at the time of the accelerated review (Report No. 296), the Commission did not address the issue of a USP (or NIP).

The Commission has been provided with updated cost-to-make-and-sell (**CTM&S**) data by GCL for consumer and FSI pineapple during the period of investigation. GCL continues to be of the view that the most appropriate basis for a USP is reflected in GCL's CTM&S data plus a level of profit.

It is noted by GCL in Report No. 295 the Commission stated that the calculated NIP for FSI was above the determined normal value. GCL anticipates that this position will remain unaltered and that the normal values for both consumer and FSI pineapple exported from the Philippines and Thailand [*level*] industry's NIP (when calculated from the Australian industry's most recent CTM&S data).

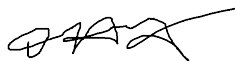
GCL is increasing its production output of consumer and FSI pineapple in 2016 having agreed to source an increased intake of fresh pineapples from suppliers. It is therefore essential that a USP determined for the Australian industry (for both consumer and FSI pineapple) reflects levels that take account of full cost recovery plus an amount for profit. Should the USP be established at a level that does not allow for full cost recovery plus a reasonable amount for profit, then GCL will be unable to compete with exports from the Philippines and Thailand.

3. Recommendation

GCL proposes that the USP for consumer and FSI pineapple be determined upon GCL's 2015 CTM&S data as verified by the Commission. In applying an appropriate level of profit, GCL submits that the profit applied must be sufficient to permit the Australian industry to re-invest in a viable pineapple processing industry. To this extent, GCL proposes that the level of profit for consumer pineapple be based on GCL's achieved profit [*period*]. In respect of FSI pineapple, GCL contends that the level of profit should be the same level as that achieved for consumer pineapple as this will permit GCL to continue to reinvest in FSI pineapple production (although it is recognized that the calculated NIPs [*level*] the normal values for FSI pineapple exported from the Philippines and Thailand).

If you have any questions concerning this submission, please do not hesitate to contact the writer on (03) 9861 5701 or GCL's representative John O'Connor on (07) 3342 1921.

Yours sincerely



Len Hickey
Legal Counsel
Golden Circle Ltd