

Public Record

FILE NOTE

Exemption request – Prepared or preserved tomatoes, exported to Australia from Italy

Record of email correspondence between the Anti-Dumping Commission and Spiral Foods Pty Ltd

From Spiral Foods Pty Ltd dated 3 February 2015 and 24 February 2015

Hi Chris, Thanks very much for responding to our request for an exemption on Organic Tomatoes. I'm still gathering information re the production method. In the meantime I went onto SPC Ardmona's website and noticed that the factory price of their non organic tomatoes is \$12 for 12 tins, our wholesale price for [REDACTED] so we are [REDACTED] more expensive for "comparable products" which they aren't. Anyway below is listed information so far.

The production process as far as I am aware is the same, it's the tomatoes which are different. A farmer can only get Organic Certification after 3 years of chemical free farming so because they have to use organic pesticides etc the cost of tomatoes organically grown is more expensive and yield is significantly less..

Substitutability: Chances are the people who use Organic tomatoes would be buying them by choice and if they were making dinner that evening and needed tomatoes they would probably use non organic tomatoes. Not by choice but because their choice was limited.

Shelf life. The shelf life on our Organic Tomatoes is [REDACTED] from date of production.

Purpose and end use is the same as ordinary tomatoes except some people want to live an Organic existence and choose to eat organically in preference to conventional.

It currently takes three years for a farmer or grazier to achieve organic certification; this includes a year of 'pre certification' and two years of 'in conversion' until achieving full certification in the third year. During this time the farmer has to demonstrate their non- usage of chemicals or pesticides and then they are audited every year to ensure their compliance to the Australian Organic Standard or in the case of international growers their local certifying body.

Our organic tomatoes are certified by both Suoloe Salute (the Italian Authority) and Australian Certified Organic.

Hoping this has been of some help and should you require additional information please let me know.

From the Anti-Dumping Commission dated 30 January 2015:

Further to your correspondence of 22 December 2014 and SPC Ardmona's (SPC) response to the Exemption Application, can you please provide some additional information:

Organic tomatoes

- Please describe the production process for organic tomatoes and how this is different to non-organic tomatoes
- commercial substitutability of organic tomatoes with non-organic tomatoes ie will customers switch to non-organic tomatoes if organic tomatoes were unavailable for purchase?
- if organic tomatoes are preservative and additive free, then is their shelf life shorter?
- purpose and end use of organic tomatoes as opposed to SPC's canned tomatoes
- please advise of the criteria to be met for the certification process for organic tomatoes
- are your organic tomatoes certified by ACO (Australia) or the Italian authority or both?

Your earliest responses are much appreciated.