

GARABED Pamela

From: Roger Simpson
Sent: Wednesday, 19 June 2013 11:54 AM
To: 'GARABED Pamela'
Cc: John Bracic; 'Ghanyapad Jinny Tantipipatpong'
Subject: RE: Revocation review - consumer pineapple [DLM=For-Official-Use-Only]

NON - CONFIDENTIAL

Hi Pam,

Attached is a copy of TPC's contract with Coles for supply from June 2013 to May 2014. The prices per the February 9, 2012 contract continued until May 2013 because the contracted quantity was not achieved until then. While the 2013/2014 prices per the attached contract are [REDACTED] than the 2012/2013 contract prices, when compared with May 2013 cost to make and sell the sales margin in these prices ranges from [REDACTED]% to [REDACTED]%.

TPC's 2013/2014 contract with Woolworths has not yet been finalised [REDACTED]
[REDACTED] It is expected to be achieved by September and attached is a "Draft" of agreed prices and volumes for the 2013/2014 contract to apply to shipments from September 2013. Agreed prices to apply to exports from September 2013 are [REDACTED] than current prices per the 2012/2013 contract and when compared with May 2013 cost to make and sell the sales margin in these prices ranges from [REDACTED]% to [REDACTED]%.

As advised in our 17 June submission, SAICO's expectation is that from September/October 2013, ie beginning of the winter crop, pineapple fruit costs will decrease and packaging costs will decrease in the second half of 2013. That is, it is expected by SAICO that its cost to make and sell will decrease in the second half of this year.

Pam, it is absolutely impossible for Customs to predict TPC/SAICO's cost to make and sell for the duration of its agreed prices during 2013/2014 and therefore absolutely impossible to predict that future exports at these prices are likely to be dumped.

It must be borne in mind that the circumstances which brought the dumping in 2010 leading to the 2011 imposition of measures, were primarily pineapple prices increasing from an average of THB [REDACTED]/kg in the second half of 2009 to as high as THB [REDACTED]/kg in the second half of 2010 because of severe drought, and significantly increased tinplate costs in 2010. There are absolutely no facts established by this review from which it can be concluded that a recurrence of these circumstances is **likely**. And even if they were to recur, there are no facts established by this review which would lead to a conclusion that TPC/SAICO's exports to Australia would be **likely** to be at dumped prices.

Also it needs to be understood that, even if it were to happen that TPC/SAICO's contract prices were to move into dumping status because of a large, unexpected hike in pineapple fruit prices, that dumping status would be temporary and not materially injurious to the Australian industry. Facts established by the 2011 investigation and this review demonstrate that such temporary dumping situation would be remedied within months by renewed contracts and/or reducing pineapple costs.

Regards,
Roger

PS. I notice that no other party including Golden Circle, has expressed any interest in the additional information notice.