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## **ANTI-DUMPING NOTICE NO. 2016/83**

*Customs Act 1901 – Part XVB*

### **FSI Pineapple**

### **Exported from the Republic of the Philippines**

### **Findings of the Continuation Inquiry**

### **into Anti-Dumping Measures**

***Notice under subsection 269ZHG(1)(b) of the Customs Act 1901***

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed an inquiry, which commenced on 9 March 2016, into whether the continuation of the anti-dumping measures in the form of a dumping duty notice applying to FSI pineapple exported to Australia from the Republic of the Philippines (the Philippines), is justified.

The goods subject to measures (the goods) are:

*Pineapple prepared or preserved in containers exceeding one litre (food service and industrial pineapple).*

Recommendations, reasons for the recommendations, and material findings of fact and law in relation to the inquiry are contained in *Anti-Dumping Commission Report No. 334* (REP 334).

I, CRAIG LAUNDY, the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science,<sup>1</sup> have considered REP 334 and have decided to accept the recommendation and reasons for the recommendations, including all the material findings of facts and law therein and have decided that the anti-dumping measures applying to FSI pineapple exported to Australia from the Philippines should continue from 13 November 2016.

Under subsection 269ZHG(1)(b) of the *Customs Act 1901* (the Act), I declare that have decided to secure the continuation of the anti-dumping measures currently applying to FSI pineapple exported to Australia from the Philippines.

Pursuant to subsection 269ZHG(4)(a)(iii) of the Act, I determine that the dumping duty notice in relation to the goods from the Philippines continues in force after 13 November 2016, but that after this day the notice has effect as if different specified variable factors had been fixed in relation to all exporters generally.

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<sup>1</sup> On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science.

In accordance with subsection 8(5BB) of the *Customs Tariff (Anti-Dumping) Act 1975*, and the *Customs Tariff (Anti-Dumping) Regulation 2013* (the Regulation), the duty that has been determined will continue to be an amount worked out in accordance with the combination of fixed and variable duty method pursuant to subsections 5(2) and 5(3) of the Regulation as detailed in the table below.

The dumping margin established for all exporters and the interim dumping duty rate is set out in the following table.

Country	Exporter	Dumping margin and interim dumping duty rate	Duty Method
The Philippines	All exporters	18.7%	combination of fixed and variable duty method

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel ([www.adreviewpanel.gov.au](http://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.

REP 334 has been placed on the public record, which may be examined at the Anti-Dumping Commission Office by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

The interim dumping duty liability is to be calculated as follows:

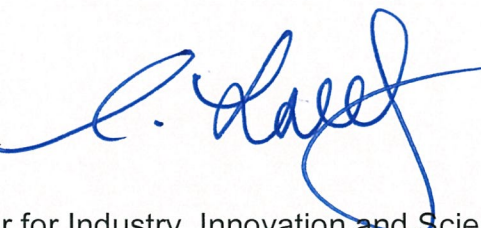
- an amount equal to the interim dumping duty rate per kilogram; plus
- the amount, if any, by which the actual export price is lower than the ascertained export price.

The interim dumping duty rate per kilogram and the ascertained export price is confidential. Genuine importers who wish to know the variable factors relevant to the determination of interim dumping duties, should contact the Anti-Dumping Commission team by email at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au).

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2415, fax number +61 3 8539 2499 or email at [operations3@adcommission.gov.au](mailto:operations3@adcommission.gov.au)

Dated this 12<sup>th</sup> day of September 2016.

CRAIG LAUNDY



Assistant Minister for Industry, Innovation and Science

Parliamentary Secretary to the Minister for Industry, Innovation and Science