



**INVESTIGATION INTO ALLEGED DUMPING
OF PREPARED OR PRESERVED TOMATOES
EXPORTED TO AUSTRALIA FROM ITALY
BY FEGER DI GERARDO FERRAIOLI S.P.A. AND LA DORIA S.P.A.**

FILE NOTE – TELECONFERENCE WITH SPC ARDMONA OPERATIONS LIMITED

Background

On 19 January 2015, the Anti-Dumping Commission (the Commission) initiated an investigation into allegedly dumped exports of prepared or preserved tomatoes exported to Australia from Italy by Feger di Gerardo Ferraioli S.p.A. and La Doria S.p.A. This was in response to an application for a dumping duty notice from SPC Ardmona Operations Limited (SPCA), a manufacturer of prepared or preserved tomatoes in Australia.

The Commission requested a teleconference with SPCA to discuss various matters related to the prepared or preserved tomatoes investigation.

Date: Tuesday, 14 April 2015

SPCA attendees: James Harvey, A/g General Manager
Shalini Valecha, Head - Strategy and Government Affairs
Peggy Cooke, Senior Analyst

The Commission attendees: Geoff Gleeson, Director
Steven Spears, Assistant Director
Thalia Brazdil, A/g Assistant Director

Matters discussed:

- Progress of the investigation including the key dates.
 - A preliminary affirmative determination (PAD) and imposition of provisional anti-dumping measures can be made no earlier than Day 60 of the investigation (20 March 2015).
 - At present, the due date for the statement of essential facts (SEF) is 9 May 2015, and the due date for the final report is 23 June 2015.
 - The Commission intends to arrange for on-site exporter verification visits to take place at a time in late May that is mutually suitable for the Commission and the exporters.
- Requisite grounds for a PAD to be imposed.
 - A PAD may be made at any time after Day 60 and need not be delayed until after verification of data submitted by exporters.



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- The Commissioner may make a PAD if he is satisfied that there appears to be sufficient grounds for the publication of a dumping duty notice.
 - 'Market situation' assessment
 - The Commission is considering the engagement of independent expertise to provide a report that analyses and explains matters relevant to the Commission's assessment about whether the situation in the domestic market in Italy for prepared or preserved tomatoes is such that sales in that market are not suitable for assessing the normal value of prepared or preserved tomatoes in Italy.
 - Options for determining normal value if a finding of 'market situation' is made.
 - The Commission is likely to seek approval for an extension of time to the SEF, which will extend the overall investigation timeframe, due to the added complexity of the requirement for a market situation assessment.