



**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 – MEETING WITH SPC ARDMONA OPERATIONS LIMITED**

**Background**

SPC Ardmona Operations Limited (SPCA) sought a meeting to clarify the Anti-Dumping Commission's (the Commission) intentions in relation to the engagement of an independent expert to provide a report on matters relevant to the Commission's assessment about whether there is a 'market situation' in the domestic market in Italy for prepared or preserved tomatoes such that sales in that market are not suitable for assessing normal value.

**Date:** Thursday, 7 May 2015

**Location:** Level 35, 55 Collins Street, Melbourne

**SPCA attendees:** Shalini Valecha, Head - Strategy and Government Affairs  
Jules Croft, Blackburn Croft and Co Limited

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

**Matters discussed:**

**Market situation**

- The Commission explained the following scope for the independent expert's engagement:
  - 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 during 2014.
  - The report should include information relevant to the production and sales of:
    - prepared or preserved tomatoes; and
    - raw tomatoes (raw tomatoes are the primary raw material used in the manufacturing of prepared or preserved tomatoes).
  - The report should include, but not be limited to, examination of:
    - direct and indirect payments made to tomato growers under the European Union's (EU) Common Agriculture Policy (CAP);

- regulations on imports of raw tomatoes; and
    - support offered through Italian Producer Organisations.
  - The analysis and explanations should include discussion of whether and to what extent certain specified factors impact upon supply and demand and prevailing prices in the relevant markets. Supporting evidence should be included with appropriate references.
  - The report should not draw conclusions as to whether a 'market situation' exists.
- The assessment of market situation is a matter for the Commissioner to consider with a view to making recommendations to the Parliamentary Secretary to the Minister for Industry and Science.
- A non-confidential version of the industry expert report that is suitable for the public record will also be provided.
- Options for determining normal value if a finding of 'market situation' is made.

Progress of the investigation including the key dates:

- A preliminary affirmative determination (PAD) and imposition of provisional anti-dumping measures can be made any time after Day 60 of the investigation (20 March 2015) if the requisite grounds are satisfied.
- An extension to the publication of the statement of essential facts (SEF) has been granted, with the revised date now on or before 7 August 2015, and the due date for the final report is 21 September 2015.
- The Commission is arranging on-site exporter verification visits to take place at a time in late May that is mutually suitable for the Commission and the exporters.
- The Commission welcomed SPCA, if it so desired, to provide a briefing in May to the Commission's exporter verification team prior to their departure. SPCA was advised of the requirement to provide a non-confidential version of any such briefing for the purpose of the public record.