



ANTI-DUMPING NOTICE NO. 2014/09

Prepared or Preserved Tomatoes Exported from Italy Amendment of Securities

Customs Act 1901 – Part XVB

On 11 July 2013 the Anti-Dumping Commissioner (the Commissioner) initiated an investigation into the alleged dumping of prepared or preserved tomatoes exported to Australia from Italy following an application lodged by SPC Ardmona Operations Limited.

A full description of the goods is available in Anti-Dumping Notice (ADN) No. 2013/59. This ADN is available on the internet at www.adcommission.gov.au

In accordance with section 269TD of the *Customs Act 1901* (the Act), on 1 November 2013 the Commissioner gave public notice that a preliminary affirmative determination had been made that there appear to be sufficient grounds for the publication of a dumping duty notice in respect of the goods exported to Australia from Italy.

The Anti-Dumping Commission released Statement of Essential Facts 217 on 4 February 2014 and has preliminary determined the dumping margins of certain exporters which are different from those previously published on 1 November 2013. As a result of these findings, in accordance with section 269ZI of the Act, the Commissioner advises that the Australian Customs and Border Protection Service shall require and take securities at new specified rates in respect of interim dumping duty that may become payable in respect of the goods from Italy. Furthermore the Australian Customs and Border Protection Service remains satisfied that it is necessary to require and take those securities in order to prevent material injury occurring to the Australian industry while the investigation continues.

This notice should be read in conjunction with Statement of Essential Facts 217.

The new level of securities will be taken in respect of any interim dumping duty that may become payable in respect of the goods entered for home consumption on or after 4 February 2014.

These securities will be imposed at the rate specified in the below table.

Manufacturer/Exporter	Preliminary Dumping margin
Selected exporters	
La Doria S.p.A.	negligible
Feger di Gerardo Ferraioli S.p.A.	negligible
De Clemente Conserve S.p.A	3.25%
Conserve Italia Soc Coop Agricola	4.54%
I.M.C.A. S.p.A	26.35%
Lodato Gennaro & C. S.p.A.	26.35%
COREX S.p.A.	n/a*
Residual exporters	
Princes Industrie Alimentari SRL	5.06%
Attianese S.p.A.	5.06%
Fiamma Vesuviana Srl	5.06%
Greci Industria Alimentare S.p.A.	5.06%
Menu Srl	5.06%
Mutti S.p.A.	5.06%
Nolana Conserve Srl	5.06%
Rispoli Luigi & C (S.R.L.)	5.06%
Steriltom Srl	5.06%
Uncooperative exporters (All other)	26.35%

**NB: The Commission has preliminary determined that COREX S.p.A. is not an exporter of the goods. See Statement of Essential Facts 217 for further details.*

The actual security liability may be higher than the effective rate of security due to a number of factors. Affected parties should contact the Commission by phone 1300 884 159 or +61 2 6275 6066 (outside Australia) or at clientsupport@adcommission.gov.au for further information regarding the actual security liability calculation in their particular circumstance.

The Commissioner must report to the Parliamentary Secretary to the Minister for Industry (the Parliamentary Secretary) with final recommendations in relation to this investigation on or before 21 March 2014. The Parliamentary Secretary will then decide whether to publish a dumping duty notice and, if relevant, the level of measures to be imposed.

Enquiries about this notice may be directed to the case manager on telephone number 02 6274 4948, fax number 1300 882 506 or +61 2 6275 6888 (outside Australia) or at operations1@adcommission.gov.au

Dale Seymour
Commissioner
Anti-Dumping Commission

4 February 2014