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Dear Sir/Madam

SPC has reviewed the exporters' response to the SEF (EPR063 dated 24 September and available 1 October 2015). With the assistance of its trade consultants, Blackburn Croft & Co, SPC makes the following comments.

1. The exporters make some incorrect observations about the relevance of the national ceiling. The national ceiling corresponding to tomatoes was transferred to the SPS in Italy over a three year period beginning in 2008 and ending in 2010. So that in 2011 and subsequent years (including the investigation period, 2014) €183,967,000 continued to be disbursed to tomato farmers qualifying for historical payments based on the 2004-2006 reference period.

As shown in the agriregioni and Translateagri attachments to SPC's 24 August submission:

*As from January 2011 will be paid on 100 % of the amount accrued up to a maximum of 183,967,000 euro. From 2011 on they will be awarded 100 % of national ceiling in the form of entitlements (sic)*

2. The hectares in the Eurostat reference provided by the exporters are inconsistent with other verifiable information. Tomato News provides a reliable source of tomato hectares and is also referenced by Rickard. (see paragraph 18 of SPC's 24 September submission). The inaccuracy of the Eurostat data is demonstrated by the extract from the Italian Gazette (see paragraph 15 of SPC's submission of 13 August) where Agea (the agency responsible for administering the SPS) stated that the tomato hectares in 2010 were 77,807 hectares (Tomato News records hectares in 2010 as 76,050. paragraph 26 of the Application) In that year Eurostat records hectares for tomatoes (not fresh) as 103,800 hectares. SPC's submission of 24 September shows estimated hectares in 2014 were 65,672.
3. SPC reminds the Commission that it does not accept the reasoning of the use of flow on for the purpose of determining market situation and that prices have been distorted. In SPC's submission of 24 September the confidential attachment shows that with and without flow on there is evidence of a significant theoretical distortion in raw tomato and PPT prices.
4. SPC is able to provide further information if required