



Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO 2026/021

Tomatoes, prepared or preserved

Exported from the Italian Republic

**Findings in relation to a Dumping and Subsidy
Investigation**

Public notice under section 269TL of the Customs Act 1901

Customs Act 1901 – Part XVB¹

The Commissioner of the Anti-Dumping Commission (**the Commissioner**) has completed the investigation into the alleged dumping and subsidisation of prepared or preserved tomatoes (**the goods**) exported to Australia from the Italian Republic (**Italy**)

The goods the subject of the investigation are:

Tomatoes (peeled or unpeeled) prepared or preserved otherwise than by vinegar or acetic acid, either whole or in pieces (including diced, chopped, or crushed) with or without other ingredients (including vegetables, herbs, or spices), in packs not exceeding 1.14 litres in volume (prepared or preserved tomatoes), exported from Italy.

Further information on the goods:

The common container sizes of the imported prepared or preserved tomatoes the subject of this application are 300 grams (g) to 850 g; however, this application covers all container sizes up to and including 1.14 litres (L). The imported goods can be packaged in different containers, such as cans, glass jars, pouches or tetra packs. Products sold in multi-unit packs for example, 3 × 400 g cans, are to be considered as 3 single packs. The imported prepared or preserved tomatoes can be labelled with a generic, a house brand/private label for the retailer, or a proprietary label. The imported prepared or preserved tomatoes the subject of this application include all imported prepared or preserved tomatoes, regardless of how labelled.

¹ All legislative references in this notice are to the *Customs Act 1901* (Cth) unless otherwise specified.

Exclusions:

The following tomato products do not form part of this application:

- *pastes*
- *purees*
- *sauces*
- *pasta sauces*
- *juices*
- *sundried tomatoes.*

The goods are generally classified to the following tariff subheadings in Schedule 3 to the *Customs Tariff Act 1995*:

Tariff Subheading	Statistical Code	Description
2002		TOMATOES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID
2002.10.00	60	Tomatoes, whole or in pieces, in packs not exceeding 1.14 L.

Table 1: General tariff classification for the goods

This tariff classification and statistical code may include goods that are both subject and not subject to this investigation. The listing of this tariff classification and statistical code is for convenience or reference only and does not form part of the goods description set out above.

On 28 January 2026, the Commissioner terminated:

- both the dumping and subsidy investigation in relation to La Doria S.p.A (**La Doria**)
- the subsidy investigation in relation to De Clemente Conserve S.p.A (**De Clemente**), IMCA S.p.A (**IMCA**), La Doria, Mutti S.p.A (**Mutti**) and residual exporters.²

Termination Report No 654 (TER 654) sets out the reasons for that termination. TER 654 is available at www.adcommission.gov.au.

In respect of the remainder of the investigation, the Commissioner provided their findings and recommendations to me in *Anti-Dumping Commission Report No 654 (REP 654)*. In REP 654, the Commissioner outlines the investigation carried out and recommends that I do not publish a dumping duty notice or countervailing duty notice in respect of the goods exported from Italy.

² ADN 2026/019

The Commissioner calculated dumping and subsidy margins in respect of the goods exported to Australia from Italy during the investigation period for each exporter, at the rates set out in the table below.

Exporter	Dumping margin	Subsidy margin
De Clemente	5.5%	0.8%
IMCA	3.0%	0.8%
La Doria	Negative 8.8%	0.3%
Mutti	2.2%	0.1%
Residual exporters	3.6%	0.5%
Uncooperative exporters and Non-cooperative entities	11.1%	1.6%

Table 2: Summary of dumping and subsidy margins

I, TIM AYRES, the Minister for Industry and Innovation and Minister for Science (**the Minister**), have considered, and accepted, the recommendations of the Commissioner, the reasons for the recommendations, the material findings of fact on which the recommendations are based, and the evidence relied on to support those findings in REP 654.

I am not satisfied, for the purposes of sections 269TG, 269TJ or 269TJA, as to the goods that have been exported to Australia from Italy, that material injury to an Australian industry producing like goods has been or is being caused because:

- the export price of the goods exported from Italy is less than the normal value of those goods
- a countervailable subsidy has been received in respect of those goods, or
- of the combined effect of the export price of the goods exported from Italy being less than the normal value of those goods and a countervailable subsidy being received in respect of those goods.

I am not satisfied dumping and subsidisation have been causing or are the cause of material injury to the Australian industry. I made this finding after considering factors other than dumping and subsidisation, namely:

- the competitive advantage of Italian imports over Australian produced like goods, even after accounting for dumping and/or subsidisation
- an increase in raw material costs and higher production costs for the Australian industry
- an increase in domestic Australian competition
- a preference by some consumers for Italian products over Australian products, based on flavour preferences and origin.

Therefore, under section 269TL(1) of the Act, I have **DECIDED NOT** to declare that:

- section 8 of the *Customs Tariff (Anti-Dumping) Act 1975* applies to the goods and like goods exported to Australia from Italy (except La Doria)


- section 10 of the *Customs Tariff (Anti-Dumping) Act 1975* applies to the goods and like goods exported to Australia from Italy (except De Clemente, IMCA, La Doria, Mutti and residual exporters).

REP 654 sets out the reasons for my decision not to publish a dumping duty notice or countervailing duty notice in respect of the goods exported from Italy. REP 654 is available at www.adcommission.gov.au

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

REP 654 and other documents included on the public record are available at: www.adcommission.gov.au

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2518 or by email at: investigations4@adcommission.gov.au.

Dated this 2nd day of February 2026


TIM AYRES
Minister for Industry and Innovation and Minister for Science