



Australian Government
**Department of Industry,
Innovation and Science**

Customs Act 1901

Notice under section 269ZZM(4)

Certain Prepared or Preserved Tomatoes Exported to Australia from the Republic of Italy by all exporters, except Feger di Gerardo Ferraioli S.p.A, La Doria S.p.A and AR Industrie Alimentari S.p.A (ADN 2017/47)

Certain Prepared or Preserved Tomatoes Exported to Australia from the Republic of Italy by AR Industrie Alimentari S.p.A (ADN 2017/46)

The Anti-Dumping Review Panel (ADRP) has completed a review of a decision by the former Parliamentary Secretary to publish a notice under s 269ZDB(1) in respect of Certain Prepared or Preserved Tomatoes (PPTs) exported to Australia from Italy by all exporters, except Feger di Gerardo Ferraioli S.p.A, La Doria S.p.A and AR Industrie Alimentari S.p.A; and to publish a notice under s 269ZDB(1) in respect of Certain PPTs exported to Australia from Italy by AR Industrie Alimentari S.p.A (the Reviewable Decision).

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 5 May 2017 ([ADN 2017/46](#) and [ADN 2017/47](#)).

The ADRP accepted the following applications for review from:

- SPC Ardmona Operations LTD (SPCA)
- Conserve Italia oc. Coop. Agr. (Conserve Italia)
- Mutti S.p.A. (Mutti)
- Le Specialità Italiane Srl (LSI)

A copy of the applications and the ADRP's report to me (ADRP Report No 56) is available on the ADRP website www.adreviewpanel.gov.au.

The ADRP has recommend that I:

1. revoke the Reviewable Decision as it relates to Mutti and substitute a new decision so that the ascertained export price and ascertained normal value are fixed in accordance with the ADRP's recommendation. This would result in a dumping margin of 3.9 per cent for Mutti; and
2. revoke the Reviewable Decision as it relates to LSI, and substitute a new decision so that the ascertained normal value is fixed in accordance with the ADRP's recommendation.

I, ZED SESELJA, Parliamentary Secretary to the Minister for Jobs and Innovation, have considered and accepted the recommendations, and reasons for the recommendations, made

by the ADRP in ADRP Report No 56, including all material findings of fact or law as set out in ADRP Report No 56.

Therefore, in accordance with section 269ZZM(1)(b) of the *Customs Act 1901* I **revoke** the reviewable decision in so far as it relates to Mutti and LSI, and substitute new decisions as recommended by the ADRP. The substituted decision is to have effect from the date of the Reviewable Decision.

Interested parties may seek a review of this decision by lodging an application with the Federal Court of Australia, in accordance with the requirements in the *Administrative Decisions (Judicial Review) Act 1977*, within 28 days of the publication of this notice.

Zed Seselja

Parliamentary Secretary to the Minister for Jobs and Innovation.

9 February 2018