



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Consumer Pineapple exported from the Republic of the Philippines and the Kingdom of Thailand

The Anti-Dumping Review Panel (Review Panel) has received an application from Golden Circle Limited (Golden Circle) seeking a review of a decision by the then Acting Minister for Industry, Science and Technology not to secure the continuation of anti-dumping measures applying to Consumer Pineapple exported to Australia from the Republic of the Philippines and the Kingdom of Thailand (the Reviewable Decision).

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 6 October 2021 (ADN 2021/117).

The Review Panel is satisfied that the following grounds are reasonable grounds for the Reviewable Decision not being the correct or preferable decision:

1. The exports of consumer pineapple by Siam Food Products Public Company Limited to Australia were at dumped prices.
2. The ADC erroneously found that Golden Circle's Australian product operated in its own segment of the consumer pineapple market in Australia.
3. The available evidence confirmed that, in the absence of measures, the Australian industry will likely incur material injury from future exports of consumer pineapple from the Philippines and Thailand.
4. The ADC erred in law in its application of s.269ZHF(2) of the Act in stating that the threat of future material injury is not part of the test for the continuation of the measures.

The Review Panel proposes to conduct a review of the Reviewable Decision in relation to the above grounds.

The goods to which these applications relate are:

Pineapple prepared or preserved in containers not exceeding one litre (consumer pineapple).

Submissions

Interested parties have **30 days** from the date on which this notice is published to provide the Review Panel with a submission. Your submission should indicate your eligibility to make a submission as either an interested party to the Reviewable Decision or as one of the specified entities under section 269ZZJ of the Act.

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If your submission contains confidential information, you must provide a public version that can be published on the Review Panel website. Failure to do so will result in your submission not being considered.

You may either email your submission to ADRP@industry.gov.au or mail the submission to:

Anti-Dumping Review Panel Secretariat
GPO Box 2013
Canberra City ACT 2601

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the grounds for seeking review in full, and other documents are available on the public record of the review at www.adreviewpanel.gov.au

The reports of the original investigation are available on the ADC website at www.adcommission.gov.au

Joan Fitzhenry
Senior Member
Anti-Dumping Review Panel
15 November 2021

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