



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

*Customs Act 1901*

Notice under section 269ZZM(4)

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

The Anti-Dumping Review Panel (ADRP) has completed a review of a decision made by the then Acting Minister for Industry, Science and Technology under subsection 269ZHG(1)(a) of the *Customs Act 1901* (the Act) in respect of consumer pineapple (the goods) exported from the Republic of the Philippines (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).

An application for review of the Reviewable Decision was made by Golden Circle Limited. A copy of the application is available on the ADRP website at [www.adreviewpanel.gov.au](http://www.adreviewpanel.gov.au).

On 15 July 2022, the ADRP made its report to me (ADRP Report No 144). A copy of this report is available on the ADRP website. Any confidential information contained in ADRP Report No 144 has been removed from the version available on the ADRP website. If your confidential information forms part of ADRP Report No 144, you can request a copy of the report containing your confidential information from the ADRP Secretariat via the details available on the ADRP website.

The ADRP has recommended that the Reviewable Decision be **revoked** and substituted with a new specified decision, in the same terms as the Reviewable Decision, except that I:

- declare that I have decided to secure the continuation of the measures applying to the goods exported from the Philippines, but as if different variable factors had been fixed in respect of Dole Philippines Inc (Dole) and uncooperative exporters from the Philippines in accordance with ADC REP 571 & 572.

I, ED HUSIC, Minister for Industry and Science have considered and accepted the recommendations, and reasons for the recommendations, made by the ADRP in ADRP Report No 144, including all material findings of fact or law as set out in ADRP Report No 144, except to the extent that the ADRP's recommendation relates to the date of effect of the reinstated measures on exports from the Philippines.

Therefore, in accordance with section 269ZZM(1)(b) of the *Customs Act 1901*, I **revoke** the Reviewable Decision substitute a new decision as recommended by the ADRP except, that to avoid the reinstated measures on exports to the Philippines having retrospective effect, the substituted decision is to have effect from:

- the date of publication of this notice with respect to my decision to continue the measures applying to the goods exported from the Philippines; and
- 17 October 2021 with respect to the expiration of the measures from Thailand.

Applications for review of this decision under the *Administrative Decisions (Judicial Review) Act 1977* should be made to the Federal Court of Australia within 28 days of:

- The publication of this notice and ADRP Report No 144; or
- If the public version of the ADRP Report No 144 contains any redactions to remove your confidential information, such later date on which you receive a copy of ADRP Report No 144 without your confidential information redacted.

The Hon Ed Husic MP  
Minister for Industry and Science  
26 September 2022