



Republic of the Philippines
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
1100 Quezon City

14 December 2021

Ms. Joan Fitzhenry
Senior Member
Anti-Dumping Review Panel
GPO Box 2013
Canberra City ACT 2601

Dear **Ms. Fitzhenry**:

The Philippines Department of Agriculture would like to urge Australia's Anti-Dumping Review Panel (ADRP) to uphold the decision of the Minister not to secure the continuation of the imposition of the anti-dumping measures on consumer and FSI canned pineapples from the Philippines.

The report of the Australian Anti-Dumping Commission (ADC) stated that there is insufficient evidence that imports of the said product would likely cause material injury to the domestic industry upon the expiration of the measure, as stated in its Final Reports – REP 571 & 572 and 573 & 574. The reports also stated that ADC did not find evidence indicating that imports from the Philippines impact the prices of the products of Golden Circle.

To be more specific, the ADC found that the Australian industry has not experienced price depression for consumer pineapple during the injury period as the selling price continuously increased year-on-year from 2017 to 2020. On the other hand, the selling price of FSI pineapple remained relatively stable during the period. Moreover, the reports also showed that the decrease in Golden Circle's capacity utilization was brought about by the limited supply of raw pineapple for processing. Lastly, it was evident that Golden Circle was able to sell all its produced as demonstrated by the declining ending stock year-on-year.

REP 571 & 572 highlighted the following:

- *"Fluctuations in the selling prices of consumer pineapple imported from the Philippines appear to have little to no impact on the selling prices of consumer pineapple from Golden Circle (specifically, while selling prices of imported goods from the Philippines declined from 2017 to 2019, the selling prices of Golden Circle's consumer pineapple increased from 2017 to 2018)."* (Section 7.7.1.3)
- *"The examples of price negotiation between Golden Circle and key retailers in Australia do not indicate any reference to the prices of imported goods from the subject countries, but rather refer to the prices of raw pineapple as the key factor in price negotiation."* (Section 7.7.1.6)

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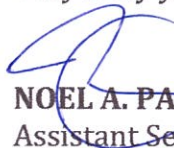
Section 7.8 of REP 573 & 574 likewise emphasized the following:

- *“Due to limited supply of raw pineapple (not attributable to imports from the subject countries), Golden Circle has focused on the consumer pineapple market rather than the FSI pineapple market, a factor which has led to its declining sales volume for FSI pineapple.*
- *There is no evidence that Golden Circle has lost sales volumes to imported products or would lose sales volumes if the measures expire, with the data indicating that Golden Circle is able to process all of the raw pineapple it acquires.”*

In view of the foregoing, the Philippines urges the ADRP to sustain the decision not to continue the anti-dumping measures on consumer and FSI pineapples from the Philippines. The imposition of the anti-dumping measure for 15 years should be more than sufficient for Australia’s domestic pineapple industry to make necessary adjustments and compete with imports.

Thank you.

Very truly yours,



NOEL A. PADRE

Assistant Secretary Designate for
Policy, Research and Development

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