



ANTI-DUMPING NOTICE NO. 2016/84

Customs Act 1901 – Part XVB

FSI Pineapple

Exported from the Kingdom of Thailand

Findings of the Continuation Inquiry

into Anti-Dumping Measures

Notice under subsection 269ZHG(1)(b) of the Customs Act 1901

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed an inquiry, which commenced on 9 March 2016, into whether the continuation of the anti-dumping measures in the form of a dumping duty notice applying to FSI pineapple exported to Australia from the Kingdom of Thailand (Thailand), with the exception of Malee Sampran Public Co (MSP), is justified.

The goods subject to measures (the goods) are:

Pineapple prepared or preserved in containers exceeding one litre (food service and industrial pineapple).

Recommendations, reasons for the recommendations, and material findings of fact and law in relation to the inquiry are contained in *Anti-Dumping Commission Report No. 334* (REP 334).

I, CRAIG LAUNDY, the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science,¹ have considered REP 334 and have decided to accept the recommendations and reasons for the recommendation, including all the material findings of facts and law therein and have decided that the anti-dumping measures applying to FSI pineapple exported to Australia from Thailand should continue from 17 October 2016.

Under subsection 269ZHG(1)(b) of the *Customs Act 1901* (the Act), I declare that I have decided to secure the continuation of the anti-dumping measures currently applying to FSI pineapple exported to Australia from Thailand.

Pursuant to subsection 269ZHG(4)(a)(iii) of the Act, I determine that the dumping duty notices in relation to goods from Thailand should continue in force after 17 October 2016, but that after this day the notice has effect as if different specified variable factors had been fixed in relation to all exporters generally, (with the exception of MSP).

¹ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science.

In accordance with subsection 8(5BB) of the *Customs Tariff (Anti-Dumping) Act 1975*, and the *Customs Tariff (Anti-Dumping) Regulation 2013* (the Regulation), the duty that has been determined will continue to be an amount worked out in accordance with the combination of fixed and variable duty method pursuant to subsections 5(2) and (3) of the Regulation, except for Prime Products Industry Co. Ltd. (Prime Products) for whom the duty is an amount that will continue to be worked out in accordance with the floor price duty method pursuant to subsections 5(4) and 5(5) of the Regulation as detailed in the table below.

Particulars of the dumping margins established for each of the exporters (with the exception of MSP) and the interim dumping duty rates are also set out in the following table.

Country	Exporter	Dumping margin and interim dumping duty rate	Duty Method
Thailand	Kuiburi Fruit Canning Co. Ltd	7.9%	combination of fixed and variable duty method
	Siam Agro-Food Industry Public Company Ltd	22.0%	combination of fixed and variable duty method
	Dole Thailand Limited	13.8%	combination of fixed and variable duty method
	Prime Products Industry Co. Ltd	NA	floor price duty method
	Uncooperative and All Other Exporters (except MSP)	28.6%	combination of fixed and variable duty method

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

REP 334 has been placed on the public record, which may be examined at the Anti-Dumping Commission Office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

The interim dumping duty liability for all exporters (other than MSP and Prime Products) is to be calculated as follows:

- an amount equal to the interim dumping duty rate per kilogram; plus
- the amount, if any, by which the actual export price is lower than the ascertained export price.

The interim dumping duty for Prime Products is in the form of a floor price. The interim dumping duty liability is calculated as the difference between the actual export price and

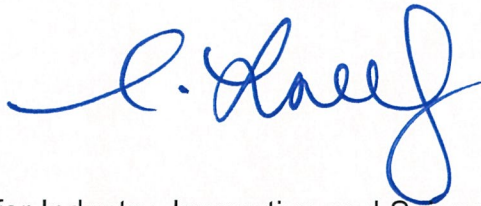
both the normal value and the non-injurious price (NIP) and is payable only where the actual export price is less than both the normal value and NIP.

The interim dumping duty rates per kilogram, the ascertained export prices and the floor price for Prime Products are confidential. Genuine importers who wish to know the variable factors relevant to the determination of interim dumping duties, should contact the Anti-Dumping Commission team by email at clientsupport@adcommission.gov.au.

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Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2415, fax number +61 3 8539 2499 or email at operations3@adcommission.gov.au

Dated this 12th day of September 2016



CRAIG LAUNDY

Assistant Minister for Industry, Innovation and Science

Parliamentary Secretary to the Minister for Industry, Innovation and Science