



Australian Government

**Australian Customs and
Border Protection Service**

AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2010/24

Certain preserved mushrooms exported from the People's Republic of China Initiation of continuation inquiry

The Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) will inquire into whether the continuation of anti-dumping measures in respect of preserved mushrooms, exported from the People's Republic of China (China) is justified. The inquiry will commence on 28 June 2010.

The goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are preserved mushrooms of the genus *Agaricus*, whole, sliced or as stems and pieces, in brine, sauce or some other preserving medium, packed in containers, including bottles, cans, bags, pails and barrels.

The goods are classified under tariff subheading 2003.10.00, statistical codes 81 and 82 to Schedule 3 of the *Customs Tariff Act 1995*.

The rate of duty for preserved mushrooms from China is five percent.

Original measures

The original anti-dumping measures were initially imposed by public notice on 12 January 2006 following consideration of Trade Measures Report No. 99 by the then Minister responsible for Customs and Border Protection.

The then Minister's decision was the subject of a reinvestigation following an appeal to the Trade Measures Review Officer. The Minister considered and accepted the findings and new findings in Trade Measures Report No. 99A (the reinvestigation report). As a result of the Ministers decision, the original dumping duty notice was varied in regards to the variable factors and exempt exporters.

Current measures

A dumping duty notice currently applies to all exporters of preserved mushrooms from China except for Jiangsu Cereals, Oils and Foodstuffs Import/Export Group Corp and Xiamen Gulong Import & Export Co Ltd.

Lodgement of submissions

Interested parties are invited to lodge written submissions concerning the continuation of the measures not later than **7 August 2010** with:

The Director
Operations 1, Trade Measures Branch
Australian Customs and Border Protection Service
Customs House
5 Constitution Avenue
Canberra ACT 2601

or by facsimile number 02 6275 6990, or by email tmops1@customs.gov.au.

Confidential submissions must be clearly marked "in-confidence" and be accompanied by two non-confidential versions suitable for placement on the public record.

All non-confidential submissions will be placed on the public record for this inquiry together with a copy of all relevant non-confidential correspondence between Customs and Border Protection and other persons.

Statement of essential facts

A statement of the essential facts (SEF) on which the CEO proposes to base a recommendation to the Minister for Home Affairs (Minister) will be placed on the public record by 18 October 2010, (or such longer period as the Minister allows under s 269ZHI of the Act). Interested parties are invited to lodge submissions in response to the SEF within 20 days of that statement being placed on the public record. Submissions to the SEF should also be lodged with Customs and Border Protection at the above mail, fax or email addresses.

Final report

A report and recommendation to the Minister will be made within 155 days, on or before 30 November 2010 (or such longer period as the Minister allows under s 269ZHI of the Act).

Expiry of current measures

Unless the Minister, after considering that report, decides to take steps to secure the continuation of the anti-dumping measures, they will expire on 12 January 2011.

Consideration Report No. 164

Particulars of the reasons for the decision to initiate this inquiry are shown in Consideration Report No. 164 (CON 164) held on the public record. Interested parties wishing to examine the public record may do so on the internet at adpr.customs.gov.au/Customs or at Customs House, 5 Constitution Avenue, Canberra ACT during business hours by contacting Trade Measures office management on telephone number 02 6275 6547. CON 164 is also available on the Customs and Border Protection website at www.customs.gov.au.

Customs and Border Protection contact

Enquiries about this notice may be directed to the case manager on telephone number 02 6275 6701 or email tmops1@customs.gov.au.

Geoff Johannes
National Manager
Trade Measures Branch

28 June 2010