



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2006/18

Certain preserved mushrooms - People's Republic of China - acceptance of the Trade Measures Review officer's recommendation for a reinvestigation of certain findings on anti-dumping

The Minister for Justice and Customs (the Minister) has accepted recommendations made by the Trade Measures Review Officer (TMRO) and directed the Chief Executive Officer (CEO) of Customs to reinvestigate certain findings. The findings that Customs will reinvestigate relate to Customs' investigation into the alleged dumping of preserved mushrooms or champignons of the genus *Agaricus*, whole, sliced or as stems and pieces, in brine, sauce or some other similar preserving medium, packed in containers, including bottles, cans, bags, pails and barrels (preserved mushrooms) exported to Australia from the People's Republic of China (China).

The TMRO's recommendations arose from a review conducted by the TMRO following receipt of applications from Oriental Merchant Pty Ltd and Fujian Holdings Pty Ltd. Both applicants sought a review of the Minister's decision of 11 December 2005 to publish a dumping duty notice under ss. 269TG(1) and (2) of the *Customs Act 1901* in respect of exports of certain preserved mushrooms exported from China. Notice of the TMRO's review was given on 10 February 2006.

The TMRO recommended that the Minister direct the CEO of Customs to reinvestigate the findings:

- that preserved mushrooms produced by the Australian industry, being preserved mushrooms other than those preserved only in brine, are like goods to the goods under consideration;
- that exports of preserved mushrooms from China were dumped;
- that the Australian industry suffered injury in the form of price undercutting, price suppression, price depression, reduced profits and profitability and underutilization of capacity;
- that preserved mushrooms exported from China at dumped prices caused material injury to the Australian industry; and
- that exports of preserved mushrooms from China in the future may be at dumped prices and the continued dumping may cause further material injury to the Australian industry.

The Minister has accepted the TMRO's recommendations and directed Customs to report the result of the reinvestigation to him on or before 13 August 2006.

Enquiries about this notice may be directed to the reinvestigation team, telephone +61 2 6275 6763, facsimile number +61 2 6275 6990 or e-mail tmops4@customs.gov.au.

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