



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2006/38

Anti-dumping investigation - pineapple prepared or preserved in containers exported from the People's Republic of China and the Philippines - revision to level of securities

The Australian Customs Service commenced an investigation into the alleged dumping of pineapple fruit prepared or preserved in containers exported to Australia from the People's Republic of China (China) and the Philippines on 10 April 2006.

The investigation concerns:

- pineapple prepared or preserved in containers not exceeding one litre (consumer pineapple); and
- pineapple prepared or preserved in containers exceeding one litre (food service and industrial (FSI) pineapple)

The goods are classified to tariff subheading 2008.20.00 in Schedule 3 of the *Customs Tariff Act 1995*. The applicant for the publication of a dumping duty notice is Golden Circle Limited.

In accordance with s. 269TD of the *Customs Act 1901* (Act) Customs made a Preliminary Affirmative Determination (PAD) on 11 August 2006 that there appeared to be sufficient grounds for the publication of dumping duty notices in respect of the goods.

In making this preliminary affirmative determination, Customs' investigation found:

- in relation to consumer pineapple, that imports of consumer pineapple at dumped prices from the Philippines have caused material injury to the Australian industry producing like goods in the form of loss of sales volume, loss of market share, price undercutting and reduced revenue; and
- in relation to FSI pineapple, that imports of FSI pineapple at dumped prices from China and the Philippines have caused material injury to the Australian industry producing like goods in the form of loss of sales volume, loss of market share, price undercutting, price suppression, reduced profitability and reduced revenue.

In order to prevent material injury occurring to the Australian industry while the investigation continues, Customs decided to require and take securities in respect of interim dumping duty that may become payable in respect of the goods from China and the Philippines entered for home consumption on or after 11 August 2006. The PAD and decision to impose the securities was advised in Australian Customs Dumping Notice No. 2006/35 and *The Australian* on 11 August 2006.

Customs has revised the level of securities to be taken in respect of consumer pineapple exported from the Philippines and FSI pineapple exported from China and the Philippines and entered for home consumption on or after 13 September 2006.

Bona fide importers may obtain details of the revised level of securities from the Regional Dumping Liaison Officers.

Particulars of the revised dumping margins are set out below:

Consumer pineapple

Country of Export	Exporter	Dumping Margin Range (%)
The Philippines	Dole Philippines Incorporated	2 to 90
The Philippines	Del Monte Philippines Inc	2 to 20
The Philippines	All other exporters	70 to 90

FSI pineapple

Country of Export	Exporter	Dumping Margin Range (%)
China	All exporters	40 to 60
The Philippines	Dole Philippines Incorporated	2 to 20
The Philippines	Del Monte Philippines Inc	2 to 20
The Philippines	All other exporters	2 to 20

The method used to establish all margins was a comparison of weighted average export prices with weighted average normal values over the investigation period.

Dumping margins are dependent upon the levels of the export price and the normal value. The selling arrangements of individual companies also influence the margin range. Australia's anti-dumping scheme has provision for an amount of lesser duty, which can be applied if it is sufficient to remove the injury caused by dumping. In practice, the operative measure is the lower of the normal value or the non-injurious price. Accordingly, the dumping margin may not be indicative of the securities required or the measures ultimately imposed.

Enquiries concerning this notice may be directed to the case officer on fax number (02) 6275 6990 or email tmops1@customs.gov.au.

Andrew Rice
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CANBERRA ACT
13 September 2006