

**NOTICE 569 OF 2009****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATION****LIST 4/2009**

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following applications concerning the Customs Tariff. Any objection to or comment on this representations should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001, within 6 weeks of the date of this notice. Attention is drawn to the fact that the rate of duty mentioned in the application is that requested by the applicant and that the Commission may, depending on its findings, recommend a lower or higher rate of duty.

**CONFIDENTIAL INFORMATION**

*The submission of confidential information to the Commission in connection with customs tariff applications is governed by section 3 of the Tariff Investigations Regulations, which regulations can be found on ITAC's website at <http://www.itac.org.za/documents/R.397.pdf>.*

*These regulations require that if any information is considered to be confidential, then a non-confidential version of the information must be submitted, simultaneously with the confidential version. In submitting a non-confidential version the regulations are strictly applicable and require parties to indicate:*

- ☐ *Each instance where confidential information has been omitted and the reasons for confidentiality;*
- ☐ *A summary of the confidential information which permits other interested parties a reasonable understanding of the substance of the confidential information; and*
- ☐ *In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.*

*This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless clearly indicated to be confidential, will be made available to other interested parties. The Commission will disregard any information indicated to be confidential that is not accompanied by a proper non-confidential summary or the aforementioned reasons.*

*If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.*

**REDUCTION IN THE RATE OF DUTY ON:**

1. Tubes, pipes and hoses of vulcanised rubber (excluding hard rubber) without fittings, reinforced or otherwise combined with only metals, classifiable under tariff subheading 4009.21, from 15 percent ad valorem to free of duty.

**Applicant**

Alphagomma SA (Pty) Ltd  
17 Quarter Crescent  
Limbros Business Park  
Sandton

Ref ITAC: 65/2008, Ms BF Mehlomakulu, Tel: (012) 394 3818, fax no:  
(012) 394 4818, Email: [bmehlomakulu@itac.org.za](mailto:bmehlomakulu@itac.org.za)

**Reasons for the application**

The product in question is not manufactured in the SACU and that no justification exists for the current rate of duty.

2. "Rope lights, having a casing of polymers of vinyl (chloride) with an outside diameter of 13 mm or more but not exceeding 15 mm, internally fitted with interconnected lamps, classifiable under tariff subheading 9405.40.90 from 20 per cent *ad valorem* to a free of duty, by the creation of an additional 8-digit tariff subheading under subheading 9405.40."

"Articles for Christmas festivities (excluding Christmas crackers) classifiable under tariff subheading 9505.10 from 30 percent *ad valorem* to free of duty, by the creation of additional 8-digit tariff subheading under tariff subheading 9505.10 for Christmas crackers at the existing rate of duty of 30 percent *ad valorem* and another tariff subheading for other articles for Christmas festivities at free of duty."

**Applicant**

Massmart Holdings Limited  
Private Bag X4  
Sunninghill  
2157

[ITAC reference: (3/2009) enquiries Mr. N. Masondo,  
Tel: 012 394 3669, Fax: 012 395 3669 or [nmasondo@itac.org.za](mailto:nmasondo@itac.org.za))

**Reason for the application**

There are currently no local manufacturers of rope lights and Christmas festivities such as Christmas trees, tinsel strands and round balls in the Southern African Customs Union (SACU).

**INCREASE IN THE RATE OF DUTY ON:**

Spades and shovels of a maximum blade width of more than 150mm but not exceeding 200mm classifiable under tariff subheading 8201.10.90 from free of duty to 20% *ad valorem*

**Applicant**

Lasher Tools

P.O. Box 254

Germiston

1400

[ITAC reference: T/5/2/16/1(64/2008) Enquiries Mr. D.L. Smith, tel. 012 - 394 3684, fax 012 394-0510, e-mail dsmith@itac.org.za]

**Reason for the application**

“Importers now import shovels and spades with a blade width less than 200mm e.g. 197mm etc under tariff subheading 8201.10.90 – ‘*Other.*’ ...these shovels and spades are used for the same purpose as those shovels imported under 8201.10. The effect of evading of the customs duty is that it makes Lasher Tools uncompetitive in the South Africa Customs Union (‘SACU’) market.”

**LIST 3/2009 WAS PUBLISHED UNDER NOTICE 300 OF 20 MARCH 2009.**