

NOTICE 55 OF 2010**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 01/2010**

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 comments on these representations should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001, **within 4 weeks** of the date of this notice. Attention is drawn to the fact that the rate of duty mentioned in these applications 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.

1. Increase of the customs duty on:

"Calcium propionate classifiable under tariff subheading 2915.50.30" from free of duty to 15% ad valorem.

Applicant

Orthochem (Pty) Ltd
Saucer Street
Industrial area
Bethlehem
9700

Ref: 32/2009 Enquiries: Mr Nkulana J. Phenya, Tel: (012) 394 3677 Fax: (012) 394 4677 Email: nphenya@itac.org.za

Reason for the application

The applicant stated that calcium propionate is manufactured in the SACU and that the existing level of duty undermines the production of the product in question in the SACU.

2. Increase in the rate of customs duty on:

Lysine and its esters; salts thereof classifiable under tariff subheading 2922.41
and;

Feed supplements, containing by mass, 40 per cent or more lysine, whether or not
containing added antibiotics or added melengestrol acetate classifiable under tariff
subheading 2309.90.65 from free of duty to 10% ad valorem ”

Applicant

SA Bioproducts (Pty) Ltd
Private Bag X51
Umbogintwini
4120

Ref: 30/2009 Enquiries: Mr Nkulana J. Phenya, Tel: (012) 394 3677 Fax: (012) 394 4677
Email: nphenya@itac.org.za

Reason for the application

The applicant stated that lysine is manufactured in the SACU and that the existing rates
of duty on lysine and feed supplements undermine production of lysine in the SACU.
The applicant further submitted that the company is experiencing competition from
similar imported products.

3. Creation of a rebate provision for:

Woven fabrics containing 85 per cent or more by mass of polyester filaments,
classifiable in tariff subheading 5407.61, for the use in the manufacture of upholstered
furniture classifiable in tariff headings 94.01 and 94.03.

Applicant

Alpine Lounge
A division of Bravo Group Manufacturing (Pty) Ltd
P.O. Box 324
Eppindust
7475

Ref ITAC: 14/2009, Ms. BF Mehlomakulu, Tel: (012) 394 3818, fax (012) 394 4818,
Email: 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.

The applicant's ability to compete with lounge suite imported from the Far East is hampered by the import duties paid on intermediary products, such as fabric lining and chemicals used in the manufacturer of foam.

4. Review of the dispensation for Rebate item 460.11/60.00/01.01

Used overcoats, car-coats, raincoats, anoraks, ski-jackets, duffle-coats, mantles, parkas and similar clothing articles (excluding wind jackets and windcheaters) in bales not containing other clothing articles, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission, may allow by specific permit.

Applicant

International Trade Administration Commission of South Africa
Private Bag X 753
Pretoria
0001

Ref: 30/2009 Enquiries: Ms. Barbara Moeng, Tel: (012) 394 3623 Fax: (012) 394 4623
Email: bmoeng@itac.org.za.

Reason for the Review

To ensure that the rebate provision is still in line with developments in the industry and to investigate the definition of qualifying products.