

NOTICE 153 OF 2010**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 02/2010**

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following application concerning the Customs Tariff. Any objection to or comments on this representation 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 this 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.

1. Increase of the customs duty on:

"Pigments and preparations based on chrome oxide green, lead chromate, zinc chromate, barium chromate or strontium chromate, inorganic pigments classifiable under tariff subheading 3206.20.10" from free of duty to 10% ad valorem.

Resulting from the above investigation, the possible re-instatement of the following rebate provisions which were in existence prior to the reduction of duty on the above-mentioned products as classified under tariff subheading 3206.20.10 will also be considered in this investigation:

| Rebate item | Tariff Heading | Rebate Code | Description |
|--------------------|-----------------------|--------------------|---|
| 306.04 | 3206.20 | 01.06 | Pigments and preparation based on chromium compounds for the manufacture of printing ink of subheading No. 3215.1 |
| 311.01 | 32.06 | 01.00 | Inorganic products known as Luminophores |

APPLICANT:

Rolfes Colour Pigments International (Pty) Ltd
P O Box 8112
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1406

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REASON FOR THE APPLICATION:

The applicant stated that colour pigments are manufactured in the SACU and that the company is under severe price pressure to compete with imported similar products. The applicant furthermore indicated that the current rate of duty undermines the local production of colour pigments.

LIST 01/2010 WAS PUBLISHED UNDER NOTICE 55 OF 29 JANUARY 2010.