

NOTICE 1108 OF 2010
INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONS
LIST 12/2010

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. 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.

**REMOVAL OF REBATE ITEM 460.04/2008.20/02.06 PROVIDING FOR FULL DUTY
LESS 20% REBATE ON:**

Canned pineapples, in such quantities, at such times and under such conditions as the International Trade Administration Commission may allow by specific permit, provided that the Commission is satisfied that pineapples suitable for canning are not available in sufficient quantities in the SACU area.

APPLICANT:

South African Fruit and Vegetable Canners Association
P O BOX 6175
Paarl
7620.

[File No: (27/2010) Ms. M Masithela, Tel: (012) 394 3682, fax no: (012) 394 4682, E-mail: mmasithela@itac.org.za]

REASONS FOR THE APPLICATION:

As reasons for the application the applicant stated that import data shows that during 2009 and again during the first 3 months of 2010 extremely cheap canned pineapples were imported into South Africa.

The applicant further requested that the rebate of full duty on the canned pineapple imports of 3 kg or more for further processing into products such as canned mixed fruits remain in force, as although the cadmium contamination is working its way out of the system and reasonable tonnages are now available for processing, it will take some time before the new and extra pineapple plantings filter through to produce sufficient pineapple pieces to meet all the needs of

the SA canned fruit canners and in order to contain their costs of production the canners should still be allowed to import under the rebate.

PUBLICATION PERIOD:

Representation should be submitted to the above address **within four (4) weeks** of the date of this notice.

LIST 11/2010 WAS PUBLISHED UNDER NOTICE 1054 OF 19 NOVEMBER 2010.