

NOTICE 404 OF 2012**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 06/2012**

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. 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. Reduction in the General rate of customs duty on:

A C generators (Alternators) classifiable under tariff subheadings 8501.61.10; 8501.61.90 and 8501.62.00 from 5%, 10 % and 10 % *ad valorem*, respectively, to free of duty.

APPLICANT

HUDACO TRADING (Pty) Ltd
Private Bag X 9
Elandsfontein
1406

Enquiries: ITAC Ref: 05/2012, Enquiries: Ms L Maliaga Tel: 012 394 3835 or Email: lmaliaga@itac.org.za

REASON FOR THE APPLICATION:

The applicant stated that there are no longer manufacturers of alternators in the SACU region. Reduction in the general rate of customs duty will indirectly lead to job creation.

PUBLICATION PERIOD

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

2. WITHDRAWAL OF REBATE ITEM 470.01

Withdrawal of rebate item 470.01/00.00/01.00 in Schedule No 4 of the Customs and Excise Act, 1964, that provides for a rebate of the full duty on the temporary importation of goods for processing, provided such goods do not become the property of the importer

APPLICANT

The International Trade Administration Commission
Private Bag x 753
Pretoria
0001

Enquiries: Khosi Mzinjana Tel No (012) 394 3739 E: mail: kmzinjana@itac.org.za ; Coert Grobbelaar Tel No (012) 394 3672 Fax (012) 394 4672 E: mail: cgrobbelaar@itac.org.za; Siphso Tshabalala Tel No (012) 394 3739 E mail: stshabalala@itac.org.za

REASONS FOR THE APPLICATION:

The possible inappropriate use of rebate item 470.01 in the absence of any control measures such as registration and permits issued by ITAC while the processing allowed in 470.01 is adequately covered under rebate provision 470.03.

PUBLICATION PERIOD

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

3. INCREASE OF CUSTOMS DUTY ON:

“Frozen half shelled mussels classifiable under tariff subheading 0307.39.10 and 0307.39.90 from 5.5c/kg and free of duty, respectively, to 25% ad valorem.”

APPLICANT

La Vie Seafood Products (Pty) Ltd
53 Church Street
Velddrif
7365

Ref: 06/2012 Enquiries' Manini Masithela, Tel: (012) 394 3682; Fax: (012) 394 4682; E-mail: mmasithela@itac.org.za.

AS REASONS FOR THE APPLICATION THE APPLICANT STATED THAT:

- Aquaculture is a young industry in South Africa. The importance of this industry as an oceanic foodstuff has been recognised and is starting to draw serious attention as South Africa's natural resources of fish stocks are in decline. Notably the mussel industry has been directly identified as a priority sector under cluster 1 of the government's Industrial

Policy Action Plan for 2010 to 2013 (IPAP 2). The application is a direct proactive response by the mussel processing industry to the government's stated industrial policy imperative for this IPAP 2 priority sector.

- What is required in order to firmly establish the industry is a period of growth enabled through protection for a limited period of time. Although the industry is 20 years old much of this establishment period has been spent in coming to grips with the various challenges present in establishing the sector.
- The biggest threat to the local mussel industry that is holding development back is the cheap imports that drive down prices, making these investments unviable.
- The SACU mussel industry is a highly integrated sector and hence the protection to processors will have a direct effect on the prices farmers can achieve for their product, which will in turn encourage them to invest in the sector and increase production.

For the industry to develop, it has to establish a bigger mussel farming capacity. It is the applicant's view that with import protection SACU can establish more mussel farmers and expand mussel in the SACU.

PUBLICATION PERIOD

Representation should be submitted to the above address within **six (6) weeks** of the date of this notice.

4. REVIEW OF CUSTOMS DUTIES ON SALMON AND TROUT

A review of the customs duties on Salmon and Trout classifiable under tariff subheadings 0302.13, 0302.14, 0302.19, 0303.11, 0303.12, 0303.13, 0303.19, 0304.41, 0304.49.90, 0304.42, 0304.59.90, 0304.81.90, 0304.89.90, 0304.91.90, 0304.99.90, 0305.39.90, 0305.41, 0305.49.90, 0305.59.90, 0305.69, 0302.11, 0303.14, 0304.42, 0304.82.90 and 0305.43 as well as the temporary rebate provisions pertaining to Salmon.

Rebate Provisions

460.01/0302.01/01.05

Salmonidae (excluding livers and roes) , fresh or chilled [excluding trout (*Salmo trutta*, *Onchorhynchus mykiss*, *Onchorhynchus clarki*, *Onchorhynchus aguabonita*, *Onchorhynchus gilae*, *Onchorhynchus apache* and *Onchorhynchus chrysogaster*)], for further processing by of smoking, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit.

460.01/0303.1/01.05

Salmonidae (excluding livers and roes) frozen [excluding trout (*Salmo trutta*, *Onchorhynchus mykiss*, *Onchorhynchus clarki*, *Onchorhynchus aguabonita*, *Onchorhynchus gilae*, *Onchorhynchus apache* and *Onchorhynchus chrysogaster*)], for further processing by of smoking, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit.

APPLICANT

The International Trade Administration Commission
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Pretoria
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Enquiries: Barbara Moeng Tel No (012) 394 3623, Fax (012) 394 4623, E:mail: bmoeng@itac.org.za or Manini Masithela Tel No (012) 394 3682, Fax (012) 394 4682 E:mail : mmasithela@itac.org.za

REASONS FOR THE APPLICATION

The review is based on the recommendations of ITAC Report No. 226. The aim of the review is also to monitor the performance of the SACU trout industry following the implementation of Report No. 266's recommendations.

PUBLICATION PERIOD

Representation should be submitted to the above address within **eight (8) weeks** of the date of this notice.

LIST 05/2012 WAS PUBLISHED UNDER NOTICE 360 OF 04 MAY 2012