

**NOTICE 128 OF 2013****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATION****LIST 3/2013**

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.*

**INCLUSION UNDER REBATE ITEM 311.40/5208.4/01.05:**

of boxer shorts as part of the manufactured products currently qualifying under the rebate provision concerned, as follows:

“Woven fabrics of cotton, containing 85 per cent or more by mass of cotton, of a mass not exceeding 200g/m<sup>2</sup>, woven fabrics of cotton, containing 85 per cent or more by mass of cotton, of a mass not exceeding 200 g/m<sup>2</sup>, of yarns of different colours, for the manufacture of men’s or boy’s shirts classifiable in heading 62.05, women’s or girl’s blouses, shirts and shirt-blouses classifiable in heading 62.06 **and boxer-shorts classifiable in headings 62.07 and 62.08**”.

(File Reference no.: **39/2012**) Enquiries: Khosi Mzinjana, Tel: (012) 394 3664 Fax: (012) 394 4664, E-mail: [kmzinjana@itac.org.za](mailto:kmzinjana@itac.org.za) or Barbara Moeng, Tel: (012) 394 3623 Fax: (012) 394 3623 E-mail: [bmoeng@itac.org.za](mailto:bmoeng@itac.org.za)

**APPLICANT:**

Ninian & Lester (Pty) Ltd

P O Box 2221

**Durban**

4001

As one of the reasons for the application, the applicant stated the following:

The current rebate provision does not allow for the fabric to be imported duty free under this rebate provision unless it is specifically used to manufacture those specified under the provision, which deters the manufacture of boxer shorts locally.

**PUBLICATION PERIOD:**

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