

NOTICE 576 OF 2014**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 07/2014**

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 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 IN THE GENERAL RATE OF CUSTOMS DUTY ON:

- “Wire of iron or non-alloy steel: Plated or coated with zinc, classifiable under tariff subheading 7217.20, from free of duty to 10% *ad valorem*.”
- “Barbed wire of iron or steel; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of a kind used for fencing, of iron or steel, classifiable under tariff subheading 7313.00, from 5% *ad valorem* to 15% *ad valorem*.”
- “Other grill, netting and fencing, welded at the intersection: Plated or coated with zinc, classifiable under tariff subheading 7314.31, from 5% *ad valorem* to 15% *ad valorem*.”
- “Other cloth, grill, netting and fencing: Plated or coated with zinc, classifiable under tariff subheading 7314.41, from 5% *ad valorem* to 15% *ad valorem*.”

APPLICANT:

Hendok (Pty) Ltd
P O Box 40500
Redhill
4071

ENQUIRIES: ITAC Ref: 48/2013, Enquiries: Mr N Mahlalela, Tel: 012 394 3684 or Email: nmahlalela@itac.org.za and/or Ms L Maliaga, Tel: 012 394 3835, Email: lmaliaga@itac.org.za.

REASONS FOR THE APPLICATION:

The applicant submitted, *inter alia*, the following reason for the application:

- Labour, electricity and the domestic price of steel have increased over the last few years, resulting in increased domestic ex-factory cost. This has left the SACU industry vulnerable to imported products being sold at or below the domestic manufactured costs.

PUBLICATION PERIOD:

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

2. AMENDMENT OF THE COMMISSION’S RECOMMENDATION IN ITS REPORT 413 TO INCLUDE MUSSELS CLASSIFIABLE UNDER CHAPTER 16 IN THE SCOPE OF THE DUTY

The Commission’s intention of its recommendation in its Report 413 was to support and encourage the development of the mussel sector. The Commission, however, omitted the inclusion of mussels classifiable under tariff subheading 1605.53 in its recommendation. The amendment will include the creation of additional 8-digit tariff subheadings under tariff subheading 1605.53 with the same rate of duty as on mussels classifiable under Chapter 3 as follows:

- “Mussels prepared or preserved, in airtight containers, from 5.5c/kg to 25% *ad valorem*; and

- Other mussels, prepared or preserved, from 5.5c/kg to 25% *ad valorem*”.

International Trade Administration Commission of SA (ITAC)

Private Bag x753

Pretoria

0001

[Enquiries: Ms. Khosi Mzinjana, Tel: (012) 394 3664, Fax: (012) 934 4664 E-mail: kmzinjana@itac.org.za.]

PUBLICATION PERIOD:

Representation should be submitted within **two (2) weeks** of the date of this notice.

3. INCREASE IN THE RATE OF DUTY ON:

Lead-acid, of a kind used for starting piston engines, classifiable under tariff subheading 8507.10 from 5% to 30% *ad valorem*.

APPLICANTS:**Powertech Batteries, a Division of Powertech Industries (Pty) Ltd**

Powertech Batteries

140 North Reef Rd

Elandsfontein

First National Battery (Pty) Ltd

Liverpool Road

Industrial Sites

Benoni

Enquiries: ITAC Ref: 02/2014, Enquiries: Mr. D Thwala and Mr. N Mabunda Tel: 012 394 5162/3697 or Email: dthwala@itac.org.za/nmabunda@itac.org.za

REASONS AS STATED BY THE APPLICANT:

- In the recent years, imported automotive lead acid batteries have continued to flow into the SACU market. As a result, local manufacturers have found it increasingly difficult to compete as the pricing models adopted by foreign manufacturers are often below local costing. The net effect of this influx of low priced batteries is a threat to the local battery manufacturers' sales, market share and employment.
- A number of battery importers are sending back scrap batteries to the countries where they were originally manufactured. This raises the cost of local recycled lead making local manufacturing uncompetitive and uneconomical.
- It is estimated that importers have grown their share of South African battery market from about 8.5% in 2010 to just over 20% in 2013. This has had a significant negative impact on local manufacturers, which is further compounded by scrap batteries.

PUBLICATION PERIOD:

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

LIST 06/2014 WAS PUBLISHED UNDER NOTICE 448 OF 20 JUNE 2014