

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 377 OF 2016
INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS
LIST 05/2016

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.

NOTICE OF TERMINATION:

The Commission received an application on 14 September 2015 for an increase in the rate of customs duties on the following subject product:

Printed bi-axially orientated polypropylene (BOPP) film or polymers of propylene: classifiable under tariff subheading 3920.20.25, 3920.20.35 from 10% ad valorem to 20% ad valorem duty and 3920.20.45 from free of duty to 20% ad valorem duty.

Also described as other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other material which is used in the packaging industry:

The Application was received from:

Amcor Flexible (Pty) Ltd

P O Box 492

Pine Town

Durban

3600

Reason for the withdrawal

The above application was published in the Government Gazette No. 39718 dated 19 February 2016 for comment by interested parties.

The Commission has since received a request from the Applicant dated 11 May 2016 indicating that the application for an increase in the rate of duty is no longer supported by other local producers of flexible packaging which had promoted the application together with the Applicant. The Commission considered this request at its meeting held on 14 June 2016 and decided to terminate the investigation following the above request by Amcor Flexibles (Pty) Ltd, regarding the application for an increase in the rate of duty.

Further information/ Enquiries:

Mrs. Ayanda Gandi, Fax: (012) 394 4724 Email: endou@itac.org.za; and /or

Mr Nkulana Phenya, Fax: (012) 394 4677 Email: nphenya@itac.org.za.]