**COMMENTS QUESTIONNAIRE FOR**

**STAKEHOLDERS**

**REVIEW OF THE CUSTOMS DUTY ON FROZEN MIXED VEGETABLES CLASSIFIABLE UNDER TARIFF SUBEHADING 0710.90**

**MARK WITH AN X:**

|  |  |
| --- | --- |
| **CONFIDENTIAL** |  |
| **NON-CONFIDENTIAL** |  |

CONFIDENTIAL INFORMATION

Please note that in terms of Section 33 of the International Trade Administration Act, 71 of 2002, and Section 3 of the *Amended Tariff Investigations Regulations*, if any information is considered to be confidential then a non-confidential version of the information must be submitted, simultaneously with the confidential version. It is imperative to consult *the Amended Tariff Investigations Regulations* in this regard for the detailed requirements on confidentiality, which apply to all parties and to all correspondence with and submissions to the Commission. Based on the *Amended Tariff Investigations Regulations*, parties must:

* Indicate each instance where confidential information has been omitted and the reasons why the omitted information is confidential; and
* Be in sufficient detail to permit other interested parties a reasonable understanding of the substance of the information submitted in confidence. The detailed summary of the confidential information may include, *inter alia,* the indexing of numerical data to enable interested parties to make meaningful representations on trends and methodology used to determine relevant factors; or
* In cases where information is not susceptible to summarisation or indexing, a sworn statement shall be provided explaining why the confidential information cannot be summarised. Merely reciting that the confidential information is of a “confidential nature” is not sufficient in this regard.

All correspondence with and submissions to the Commission unless clearly indicated to be confidential will be made available to other interested parties. (Confidential information should be clearly marked by writing “CONFIDENTIAL” on the cover page of the document and every page that contains confidential information.)

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 confidentiality requirements.

VERIFICATION

Please note that in terms of section 8 of the *Amended Tariff Investigations Regulations*, the Commission retains the right to verify the accuracy of the information supplied to it by any party by conducting verifications.

GLOSSARY

**COMMISSION** The International Trade Administration Commission of South Africa established in terms of section 7 of the International Trade Administration Act, 2002 (Act No. 71 of 2002).

**CUSTOMS DUTY** Ordinary customs duties as contained in Part 1 of Schedule No. 1 to the Customs and Excise Act, 1964 (Act. No. 91 of 1964).

**SARS** South African Revenue Service

**PRODUCT**  The product that is the subject of the review

**COMPANY DETAILS**

* + - 1. State the full name of the company.
			2. State the postal and physical address.
			3. State the web address if available.
			4. State the company’s registration number in terms of the Companies Act.
			5. Provide the contact details of the company:

Contact person………………………………..…………..Tel.…………..………….

Cell no…………………….……Email………………………………………………..

* + - 1. State the nature of the business conducted by the company.
			2. If applicable, provide the physical location of the factory(ies) and warehouse(s).
			3. It should be noted that in terms of section 26 (4) of the International Trade Administration Act, 2002, the Commission may, *inter alia*, require a stakeholder to provide additional information in respect to this submission.

**INFORMATION RELATING TO FROZEN MIXED VEGETABLE MARKET**

* + - 1. Please provide a detailed list of frozen vegetable products that you manufacture (i.e. for domestic processors) or sell (i.e. for importers) according to the Living Standards Measures (“LSM”). In particular, please provide one list of frozen vegetable products that are manufactured and/or are sold to the Lower LSM market and another for frozen vegetable products that are sold and/or are manufactured for the Middle-upper LSM market. If possible, please provide the relevant tariff subheading(s) applicable for each frozen vegetable product listed.
			2. Where appropriate, please provide further explanations on how Lower LSM products and Middle-upper LSM products, as provided on product lists above, compete with imports from different economic regions or countries, i.e. General, EFTA and MERCOSUR (duty paid imports) or EU/UK, SADC and AfCFTA (duty free imports).
			3. Where appropriate, please provide further explanations on the market dynamics of the different market segments. In particular, please provide insight on market demand for Lower LSM frozen vegetable products versus Middle-upper LSM frozen vegetable products as well as consumer preferences for different types of frozen vegetables.
			4. Please provide comment, on import trends of frozen mixed vegetables classifiable under tariff subheading 0710.90, over the past five years (2018 – 2022) and the future trajectory of imports for the following three years.
			5. If you are a domestic producer or manufacturer (upstream or downstream), please provide market, trade and financial data in relation to the products subject to the review as per the excel template marked as **Annexure ‘A’** - available on the ITAC website: [www.itac.org.za](http://www.itac.org.za). Please ensure that information is populated in the spread sheet and submitted as such.
			6. If you are an importer, please provide market, trade and financial data in relation to the products subject to the review as per the excel template marked as **Annexure ‘B’** - available on the ITAC website: [www.itac.org.za](http://www.itac.org.za). Please ensure that information is populated in the spread sheet and submitted as such.
			7. Please take note that your comments and information submitted to the Commission in relation to the scope of the review need not be limited to the extent of the questionnaire. Should you wish to submit further information, you are at liberty to include it in your response.

**NB: Please complete and submit sworn affidavit on page 6 below.**

* + - 1. Submit the following Affidavit by the Chief Executive Officer of the company concerned on the company’s letterhead:

I,………..…………………………………………………………………………………..(Full name) with identity number,…………………………………….in my capacity as………………………………………..……….of………………………………………………………. hereby declare that the information furnished in this application is to the best of my knowledge true and correct.

SIGNATURE:……………….....................DATE:………………..…………………

I CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT, AND THAT HE/SHE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH, AND THAT HE/SHE CONSIDERS THIS OATH TO BE BINDING ON HIS/HER CONSCIENCE.

SIGNED and SWORN to before me at ………………………..………………… on this ………. Day of …………………………………….. Year...........................

…………………………………………..

COMMISSIONER OF OATHS