

NOTICE 150 OF 2015
INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS
LIST 02/2015

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.

AMENDMENT OF THE WORDING FOR QUALIFYING FABRICS UNDER REBATE ITEM 320.01 FOR THE MANUFACTURE OF UPHOLSTERED FURNITURE

The amendment of the rebate description is proposed to read as follows (Amendment indicated in 'bold'):

- i. 320.01/5407.61/01.06 Woven fabrics surface treated to resemble suede containing 85 % or more by mass of non-textured micro-fibre polyester filament yarns, of a mass exceeding 150g/m² and of a width not exceeding 150 cm, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, for use in the manufacture of upholstered furniture classifiable in tariff heading 94.01.
- ii. 320.01/5903.20.90/01.08 Other textile fabrics commonly known as imitation leather, laminated with polyurethane, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, for use in the manufacture of upholstered furniture classifiable in tariff heading 94.01.
- iii. 320.01/5907.00.90/01.08 Textile fabrics commonly known as imitation leather backed with bonded leather, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, for use in the manufacture of upholstered furniture classifiable in tariff heading 94.01.

[Enquiries: Ms. Khosi Mzinjana, Tel: (012) 394 3664, Fax: (012) 934 4664, E-mail: kmzinjana@itac.org.za or Ms. Amina Varachia, Tel: (012) 394 3732, Fax: (012) 934 4732, E-mail: avarachia@itac.org.za]

APPLICANT:
The Textile Federation of South Africa (TEXFED)
P O BOX 53
BRUMA
2026

Reasons for the application as submitted by the applicant:
TEXFED has major difficulties with the wording, scope and coverage of the three qualifying fabrics under the rebate provision in the form that they were introduced, as there are fabrics that are manufactured locally that meet the description of the qualifying fabrics in the rebate provision. The issue is that the description under these tariff subheadings currently is so broad that it covers at least 80% of what is made in South Africa.

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

LIST 01/2015 WAS PUBLISHED UNDER NOTICE 74 OF 30 JANUARY 2015