

DEPARTMENT OF TRADE AND INDUSTRY**NOTICE 2508 OF 2024****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 03/2024**

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 comment 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 these applications 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:

“Conical steel drums, of steel, of a capacity of 210 li or more but not exceeding 234 li, classifiable in tariff subheading 7310.10.90, from free of duty to the WTO bound rate of 15% ad valorem, by the deletion of tariff subheading 7310.10.10 that provides for conical steel drums of a capacity of 235 li or more and the creation of a new 8-digit tariff subheading for conical steel drums of a capacity of 210 li or more”.

APPLICANT:**Peninsula Drums (Pty) Ltd**

6 Hilda Close

Philippi Industria

CAPE TOWN

7750

Enquiries: ITAC Ref: **13/2023**. Mr. Pfarelo Phaswana/Ms. Lavhelesani Mulaudzi. Tel: 012 394 3628/1678 or email pphaswana@itac.org.za/lmulaudzi@itac.org.za.

REASONS FOR THE APPLICATION:

As motivation for the application, the applicant cited, amongst others, the following reasons:

- In 2012, the company applied for, and was granted, an increase in duty from free of duty to 15% *ad valorem* for conical steel drums with a capacity of 235 li or more. The company has, however, come under increasing pressure from low priced imports of conical steel drums in the capacity range of 210 li to 234 li, resulting in a loss of business;
- If the loss of business on conical steel drums continues, it will have an extremely negative effect across all products supplied; and
- Although the company is aware that the requested 15% duty will not fully address the existing price differentials, it is a good start to addressing the existing challenge.

PUBLICATION PERIOD:

Representations should be made within **four (4) weeks** of the date of this notice.

2. CREATION OF A REBATE FACILITY ON:

Palm oils and its fractions, refined, bleached, and deodorised, but not chemically modified, classifiable in tariff subheading 1511.90.90, for use in the manufacture of soaps and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes.

APPLICANT:**Unilever South Africa (Pty) Ltd**

15 Nollsworth Crescent

La Lucia Ridge Office Estate

DURBAN

4051

ITAC Ref: 10/2023 **Enquiries:** Mr Joseph Mawasha, Email: jmawasha@itac.org.za, Tel: 012 394 3720; Mr Scelo Mshengu, Email: smshengu@itac.org.za, Tel 012 394 3693; Mr Jacob Mtimkulu, Email: jmtimkulu@itac.org.za, Tel 012 394 3691 and Mr. Nkulana Phenya, Email: jphenya@itac.org.za, Tel: 012 394 3677

**AS MOTIVATION FOR THE APPLICATION, THE APPLICANT SUBMITTED,
INTER ALIA, THAT:**

Unilever South Africa faces challenges due to rising costs, inflation, and competition from cheaper imports. Furthermore, the company is altering its formulation for producing soap bars to support its strategy of sourcing sustainable materials to prevent harm to people and plants. This formulation utilizes palm oil, which currently attracts a 10% duty. A rebate on the duty on imported palm oil is therefore necessary to maintain local manufacturing and competitiveness in the domestic market. While alternatives like sunflower and soybean oils exist, they require additional processing, increasing costs and making them less competitive compared to palm oil.

Note: Comments must be provided in the format of a questionnaire obtainable on ITAC's website at www.itac.org.za, link: Services - Tariff investigations - Government Gazette Notices – Other publication notices

PUBLICATION PERIOD:

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

3. CREATION OF A REBATE FACILITY ON:

Palm oils and its fractions, partly or wholly hydrogenated, whether or not refined, but not further prepared, classifiable in tariff subheading 1516.20.90, for use in the manufacture of soaps and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes.

APPLICANT:**Unilever South Africa (Pty) Ltd**

15 Nollsworth Crescent

La Lucia Ridge Office Estate

DURBAN

4051

ITAC Ref: 09/2023 **Enquiries:** Mr Joseph Mawasha, Email: jmawasha@itac.org.za , Tel: 012 394 3720; Mr Scelo Mshengu, Email: smsshengu@itac.org.za, Tel 012 394 3693; Mr Jacob Mtimkulu, Email: jmtimkulu@itac.org.za, Tel 012 394 3691 and Mr. Nkulana Phenya, Email: jphenya@itac.org.za, Tel: 012 394 3677

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PUBLICATION PERIOD:

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