

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 709 OF 2015

INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS
LIST 10/2015

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. APPLICATION FOR A REDUCTION IN THE RATE OF CUSTOMS DUTY ON OTHER CANNED MUSSELS IN AIRTIGHT METAL CONTAINERS

The reduction in the rate of customs duty of other canned mussels in airtight metal containers will be through the deletion of tariff subheading 1605.53.20 and the creation of two new tariff subheadings for "smoked" and "other" mussels in airtight metal containers under tariff subheading 1605.53.

APPLICANT:

**M&L Distributors (Pty) Ltd on behalf of:
Shoprite Checkers (Pty) Ltd, Pick n' Pay (Pty) Ltd and
Spar South Africa (Pty) Ltd**
7 Rainbow Close
Rainbow Park
Racecourse Road
Macroni Beam Industria
Cape Town

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

REASONS FOR THE APPLICATION AS SUBMITTED BY THE APPLICANT:

- There is no local production of canned smoked mussels and the duty brings additional hardship on the smoked mussel consumer.
- The increase in the rate of customs duty has the effect of increasing the retail price of smoked canned mussels. The average selling price will increase by approximately 27% per unit (including VAT), thus making the subject product an expensive protein.
- The tariff amendment for an increase of duties from 5.5c/kg to 25% ad valorem was incorrect in its application.

PUBLICATION PERIOD:

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

2. INCREASE IN THE GENERAL RATE OF CUSTOMS DUTIES ON:

"Aluminium extrusions classifiable under tariff heading 7604.21.15; 7604.29.15; and 7604.29.65, from 5% *ad valorem* to 15 % *ad valorem*"

APPLICANT:

Hulamin Extrusions (Pty) Ltd
P O Box 25
Olifansfontein
1665

Enquiries: ITAC Ref: 12/2015, Enquires: Ms Lufuno Maliaga/ Mr Pfarelo Phaswana, Tel: 012 394 3835/3628 or email lmaliaga@itac.org.za/ pphaswana@itac.org.za.

REASONS FOR THE APPLICATION:

The applicant cited, *inter alia*, the following reason:

- i) Eroded local share of extrusion market as imports of the subject products have increased dramatically.
- ii) The import of low priced extrusion products has had a significant impact on the local extrusion manufacturing and this has forced downsizing of local production;
- iii) Since ITAC implemented the 5% *ad valorem* duty in 2011, the domestic capacity has been eroded; and
- iv) Imports are largely high volume fast moving aluminium extrusion sections. The local extruder is left with low volume, slow moving and more complex extrusions to produce, diminishing their ability to achieve economies of scale and optimum manufacturing cost.

PUBLICATION PERIOD:

Representation must be made within **four (4)** weeks of the date of this notice.

3. INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON:

"Steel wire rod classifiable under tariff subheadings 7213.91 and 7227.90, from free of duty to 10% *ad valorem*."

APPLICANT:

South African Iron and Steel Institute ("SAISI")
P.O. BOX 6318
Pretoria
0001

Enquiries: ITAC Ref: 09/2014, Enquires: Ms Lufuno Maliaga/ Mr Daniel Thwala, Tel: 012 394 3835/5162 or email lmaliaga@itac.org.za/dthwala@itac.org.za.

