



15 December 2021

**BY EMAIL** – [ADRP@industry.gov.au](mailto:ADRP@industry.gov.au)

Senior Member  
Anti-Dumping Review Panel Secretariat  
GPO Box 2013  
Canberra City ACT 2601

Dear Senior Member

**Submission in relation to Review 2021/144 – Consumer Pineapple exported from the Republic of the Philippines to Australia**

PAVÉ Limited (Pavé) imports Consumer Pineapple produced in the Philippines by Dole Philippines Inc (**DPI**) and exported to Australia by Dole Asia Holdings (**DAH**) and under s269ZX(c) of the Customs Act 1901 (**Act**), Pavé is an interested party in relation to the reviewable decision that is based on the recommendations of the Commissioner in REP 571.

We consider that the decision of the Minister was the correct and preferable decision and consequently submit that the decision should be affirmed by the Panel.

The focus of our submission is the unsubstantiated allegation by the Applicant – Golden Circle Limited (**GC**)– that there was no evidence to support a conclusion that the market for consumer pineapple was segmented. In its application to the Panel in the present matter GC states that

The apparent issue of concern to the Commission about future material injury being likely appeared to be Golden Circle’s alleged inability to demonstrate that, in pricing negotiations with the supermarkets, imports from the subject countries were the cause of Golden Circle not being able to secure high prices to recover increased costs. In particular, the Commission stated it *“has not identified evidence to indicate that the imports of consumer pineapple have impacted on the prices Golden Circle has been able to achieve.”*<sup>1</sup>

The applicant has not responded by producing any evidence in its application to the Panel that might support a claim that the expiry of anti-dumping measures would be likely to lead to a resumption of material injury. Instead it merely claims that there were a number of alleged impediments to gathering such evidence<sup>1</sup>. Such a claim is without foundation. Firstly the Commission itself had no difficulty in accessing pricing data in support of its market analyses in

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<sup>1</sup> GC Application – p.9

# NON-CONFIDENTIAL



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section 4 of REP 571/572 that provided the reasoned basis for its conclusions concerning market segmentation.

Those conclusions are fully vindicated by the non-confidential presentation at Attachment A prepared by Pavé and based on commercially available hard scan data purchased from IRI/Quantium. Scan data is captured every time a product is scanned at the checkout and at what price. It is the most factual data available for the purposes of sales analysis and is provided by the major retailers themselves to the data providers.

The presentation clearly demonstrates that there is no evidence that Pavé's prices for consumer pineapple from the Philippines to two of Australia's major retailers have any influence on prices achieved by GC in the premium segment of the market.

The scan data shows that GC consumers occupy a different, premium segment and are highly loyal. GC has increased its retail price and still grown Unit Sales, despite out-of-stock periods. Additionally, Dole price promotions do not shift significant volume from GC.

In conclusion, we submit that the evidence available to the Minister on the relative pricing of GC's premium product and canned pineapple imported by Pavé from Dole confirms that the two products occupy different market segments and provides conclusive support for the view that any continuation of such imports would not be likely to lead to a recurrence of the material injury that the anti-dumping measure is intended to prevent. Consequently we request that the Panel recommends that the Minister affirm the reviewable decision.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Chris Wong".

Chris Wong

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<sup>i</sup> GC Application – p.9



# REVIEW OF PRICING DISPARITY BETWEEN DOLE AND GOLDEN CIRCLE CONSUMER PINEAPPLE

AUSTRALIAN MARKET

13 DECEMBER 2021

# INTRODUCTION

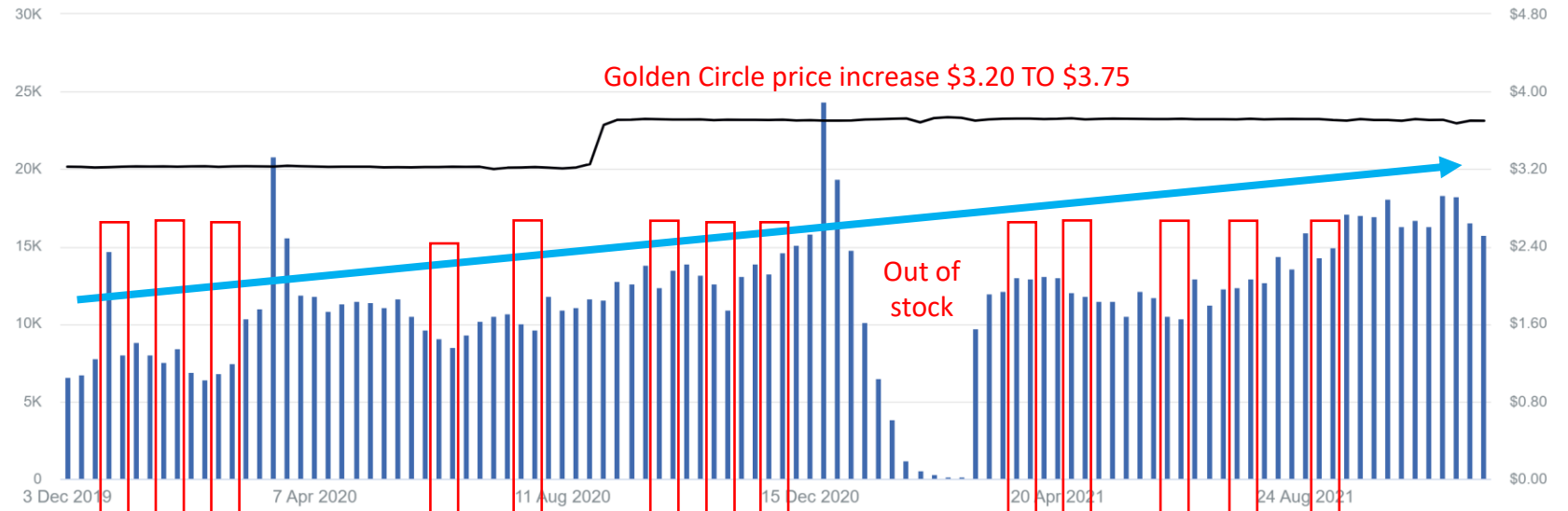
- This document compares the weekly Unit Sales of Australian-grown Golden Circle Canned Pineapple with their equivalent Dole SKUs
- Private Label Canned Pineapple has the lowest prices in the category; their interaction with Golden Circle is outside the scope of this review
- Retailers have asked their data not be identifiable. 'Retailer A' scan data goes back two years; 'Retailer B' one year.
- Many Golden Circle Canned Pineapple products have been discontinued, presumably due to supply problems (the SKUs were selling well)
- All Golden Circle ~200g and ~800g SKUs have been deleted in both major retailers, so could not be compared. All possible direct comparisons have been made
- Golden Circle out of stocks typically little/see no transfer to Dole volumes
- Dole price discounting and resulting large Unit Sales lifts do not produce a dip in Golden Circle sales
- This supports a conclusion that Golden Circle shoppers prefer Australian-grown fruit, are very loyal, and are not attracted in significant numbers by Dole pricing
- Dole appeals to a different shopper and provides an important reliable source of supply, at an affordable price

# MAJOR RETAILER A SCAN DATA

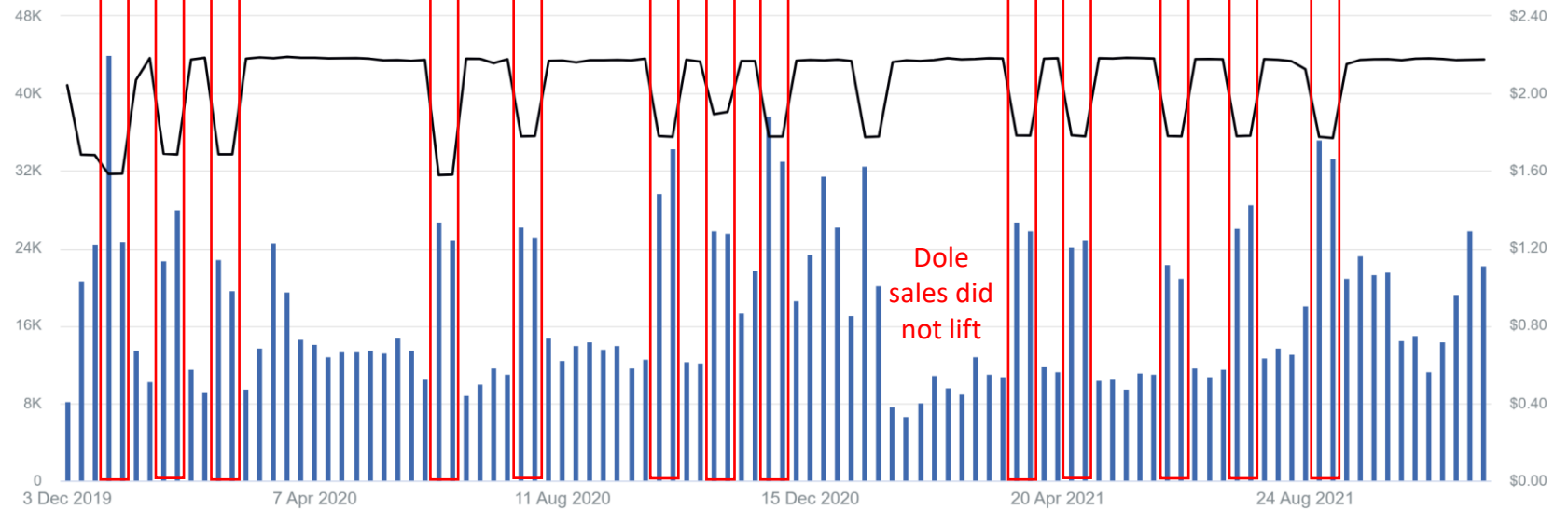
# SLICES IN JUICE ~400G

- Strong upwards trend to Golden Circle Slices despite price increase and presence of Dole in market
- Major constraint for Golden Circle appears to be supply, as suggested by the out of stock
- Dole volume did not lift during this period
- When Dole is on price promotion and Unit Sales jump by +10K units, Golden does not move below average weekly volume of 10-13K Units

Performance - 0033437-EA - GOLDEN CIRCLE P/APPL SLICED 440G



Performance - 0780106-EA - DOLE P/APPLE SLICES IN JCE 432G



— Average price ● Units

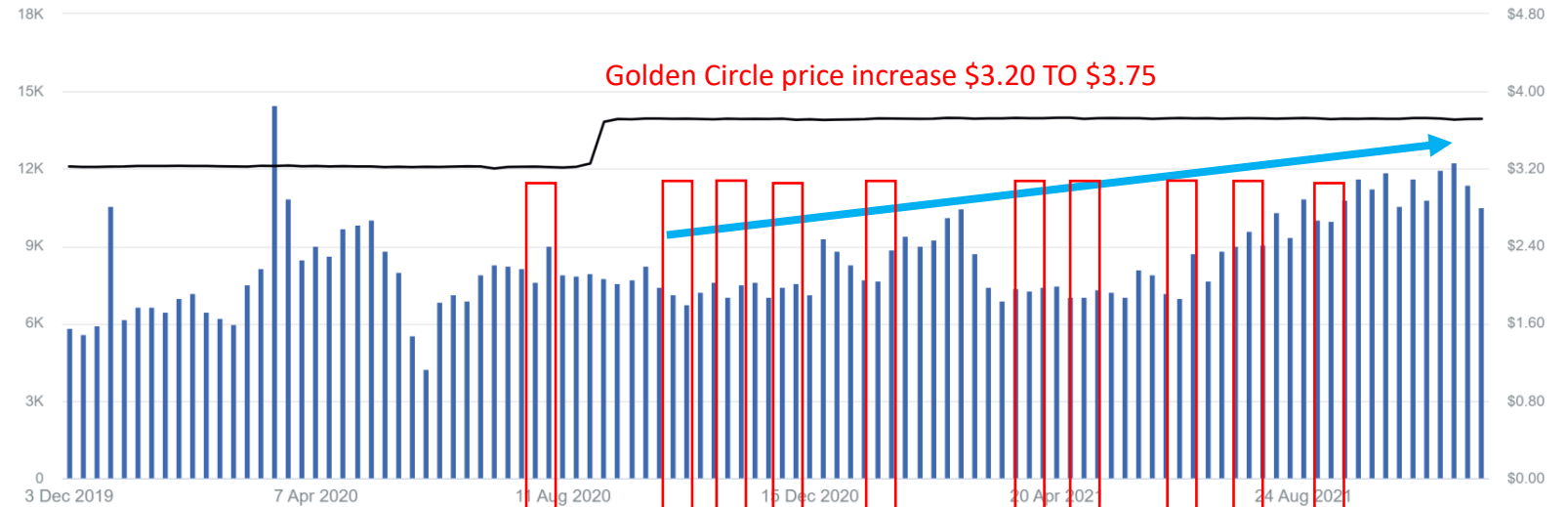
Source: Retailer A Scan Data 104 Weeks to 23 Nov 2021

Time period: 104 weeks (Focal Period 27/11/2019 - 23/11/2021) | Location: National

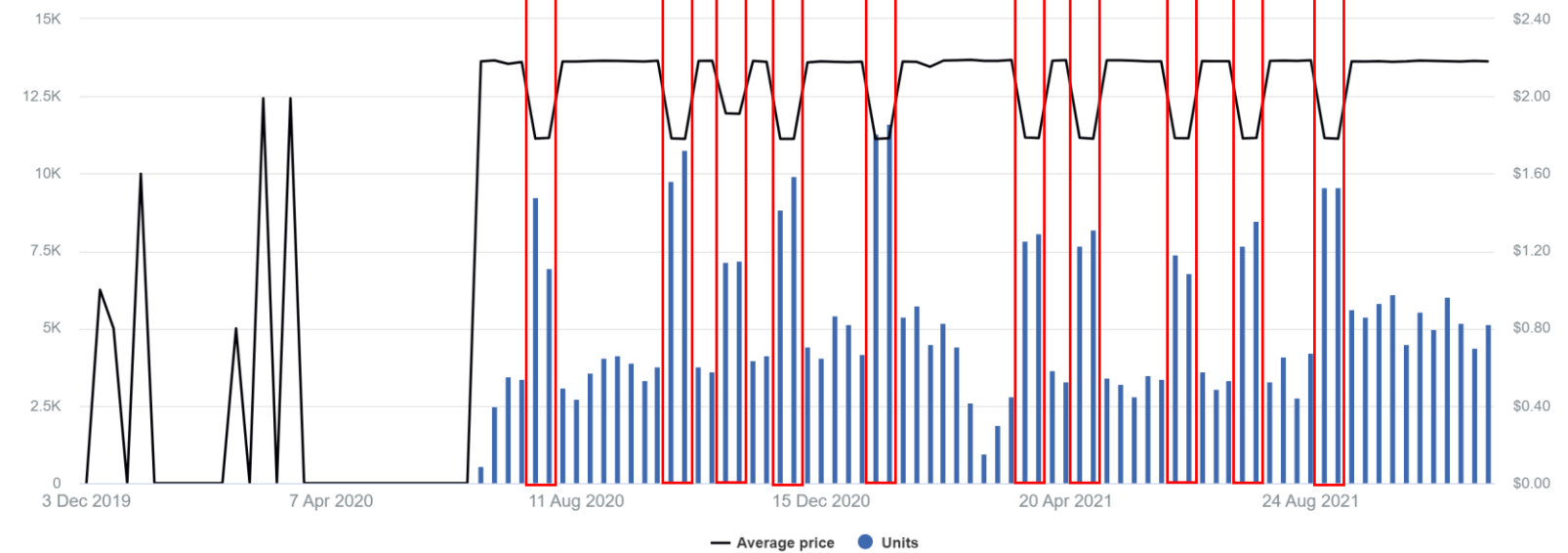
# SLICES IN SYRUP ~400G

- Strong upwards trend to Golden Circle Slices despite the introduction of a Dole equivalent
- When Dole is on promotion and Unit Sales increase by 3,000-5,000, Golden Circle does not drop significantly

Performance - 0033428-EA - GOLDEN CIRCLE P/APPL PIECES 450G



Performance - 0841349-EA - DOLE P/APPLE CHUNKS SYP 439G



— Average price ● Units

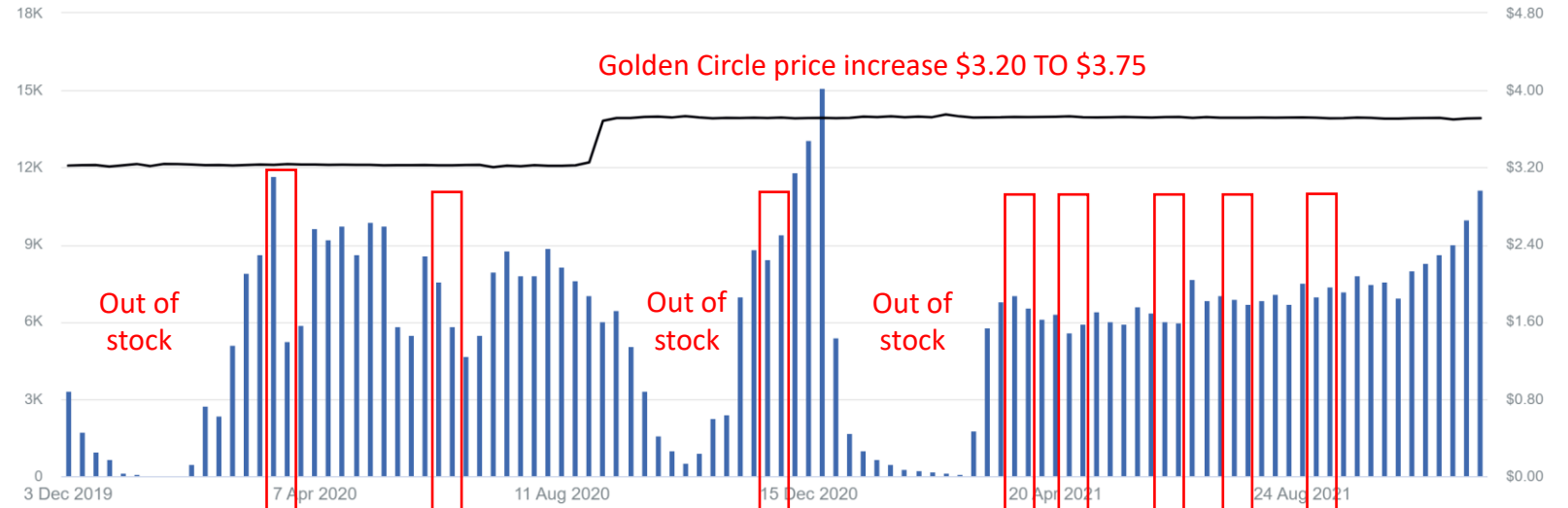
Source: Retailer A Scan Data 104 Weeks to 23 Nov 2021

Time period: 104 weeks (Focal Period 27/11/2019 - 23/11/2021) | Location: National

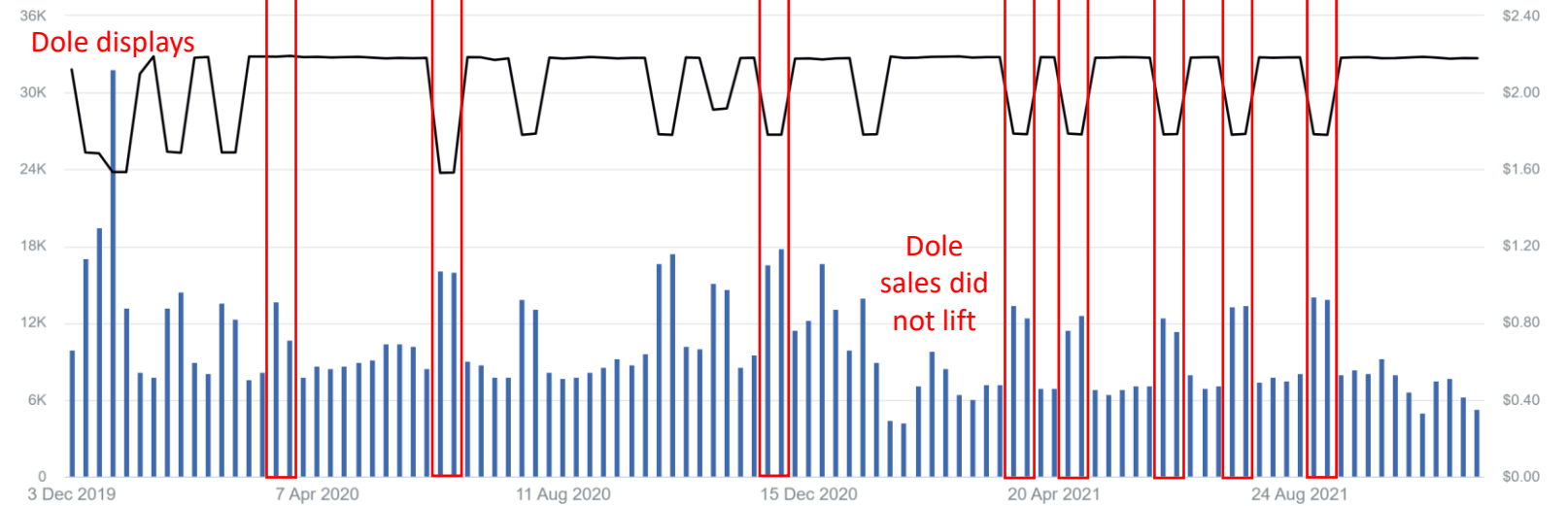
# CRUSHED IN JUICE ~400G

- Very unreliable supply of Golden Circle product
- Significant Golden Circle out of stocks did not cause equivalent lift in Dole Units
- Golden Circle price increase did not lead to lower Unit Sales
- No drop in Golden Circle sales when Dole is on promotion

Performance - 0002863-EA - GOLDEN CIRCLE P/APPL CRUSH NAT JCE 440G



Performance - 0841337-EA - DOLE P/APPLE CRUSHED JCE 432G



Time period: 104 weeks (Focal Period 27/11/2019 - 23/11/2021) | Location: National

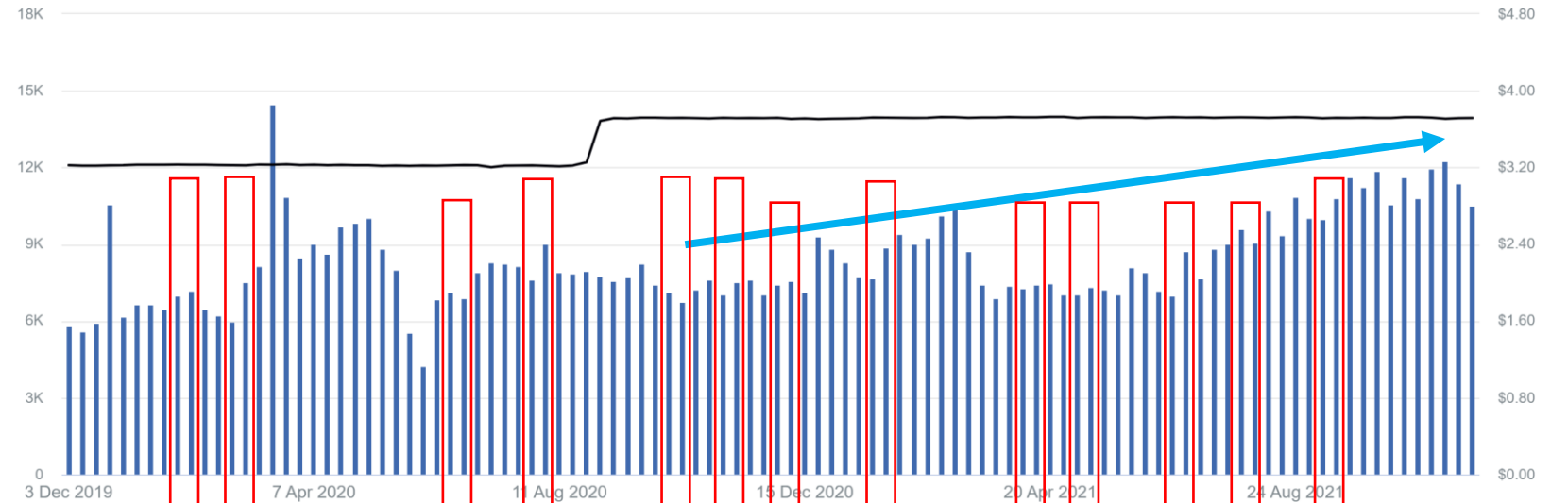
Source: Retailer A Scan Data 104 Weeks to 23 Nov 2021



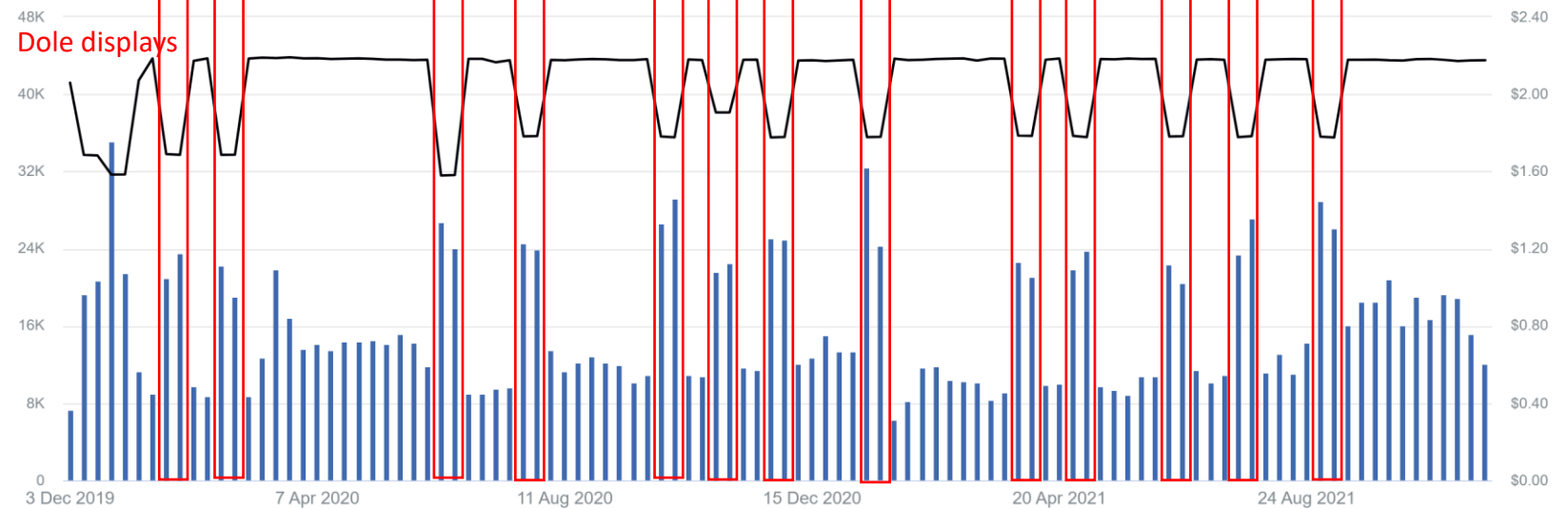
# PIECES / CHUNKS IN JUICE ~400G

- A pineapple piece (Golden Circle) is about half the width of a chunk (Dole)
- This is the closest comparison for this cut
- Strong upwards trend to Golden Circle Pieces despite price increase and presence of Dole in market
- When Dole is on promotion and Unit Sales increase, Golden Circle does not drop significantly

Performance - 0033428-EA - GOLDEN CIRCLE P/APPL PIECES 450G



Performance - 0780101-EA - DOLE P/APPLE CHUNKS IN JCE 432G



— Average price ● Units

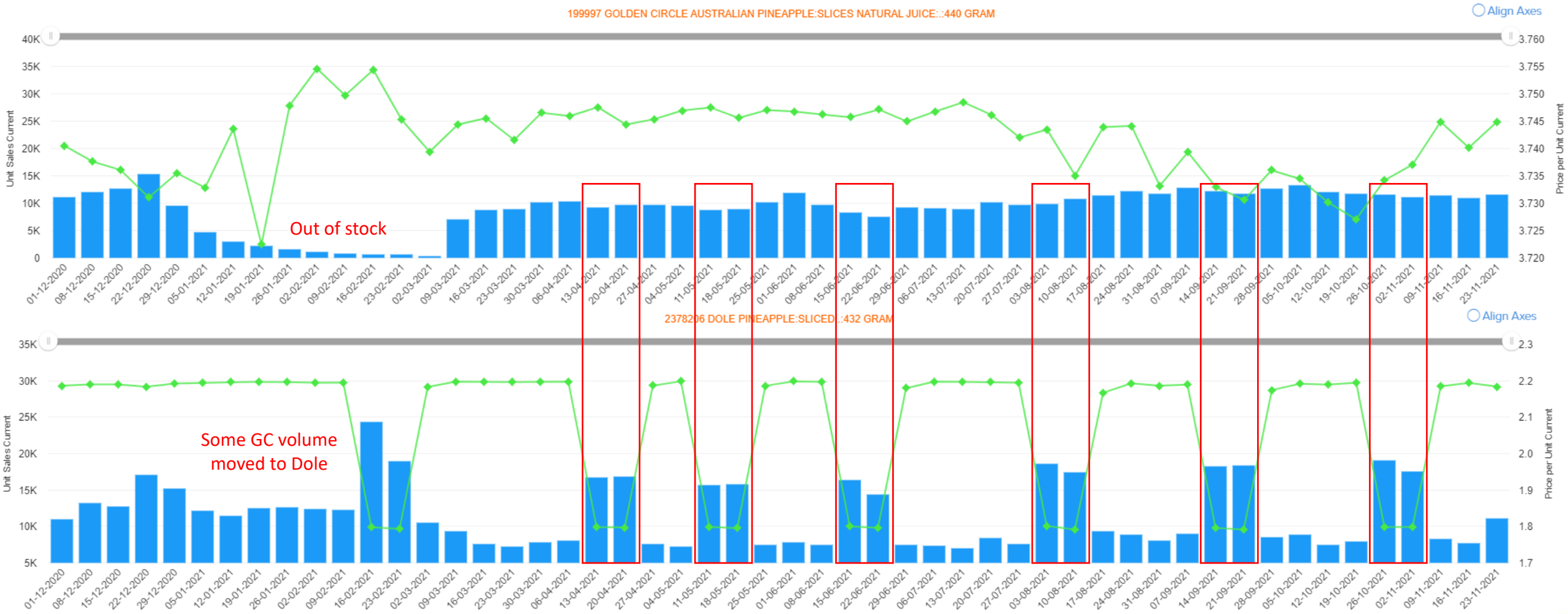
Time period: 104 weeks (Focal Period 27/11/2019 - 23/11/2021) | Location: National

Source: Retailer A Scan Data 104 Weeks to 23 Nov 2021

# MAJOR RETAILER B SCAN DATA

# SLICES IN JUICE ~400G

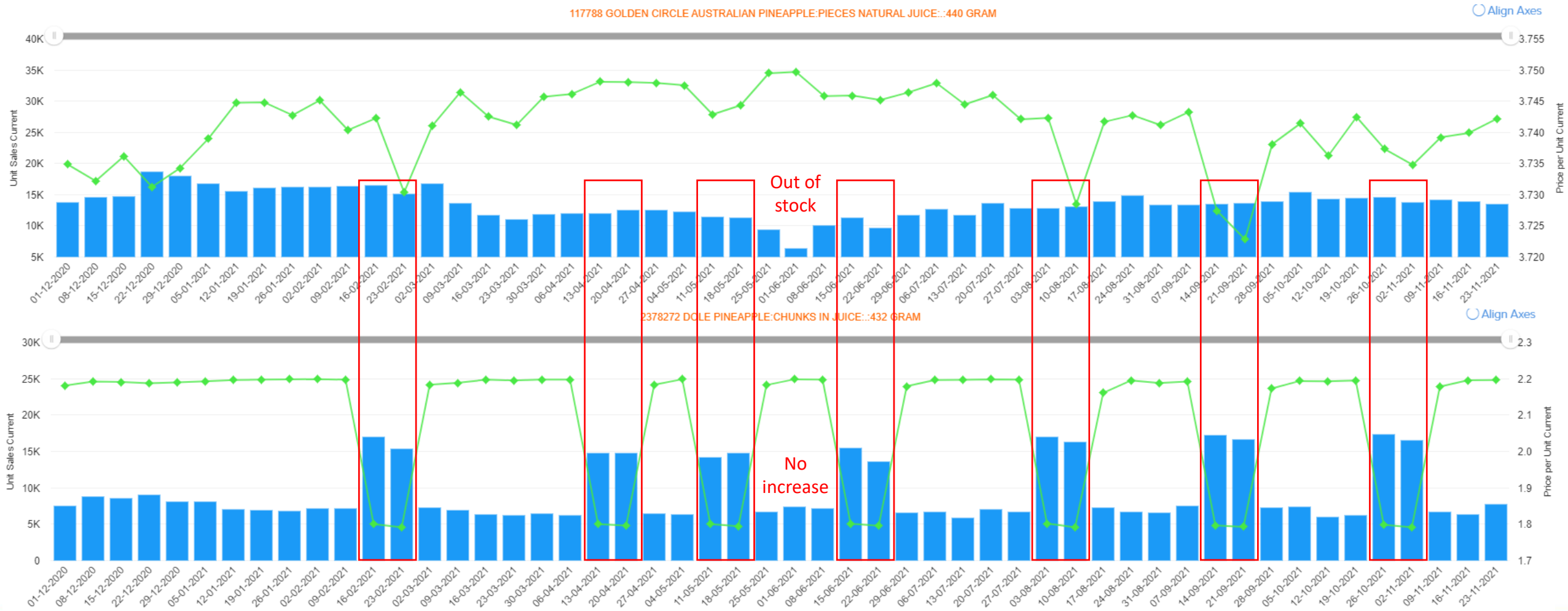
- Lengthy Golden Circle out of stock in early 2021 appears to have caused some volume to briefly move to Dole
- Dole promotional uplifts are not matched by a dip in Golden Circle Unit Sales, which fully recovered



Source: Retailer B Scan Data 52 Weeks to 23 Nov 2021

# PIECES / CHUNKS IN JUICE ~400G

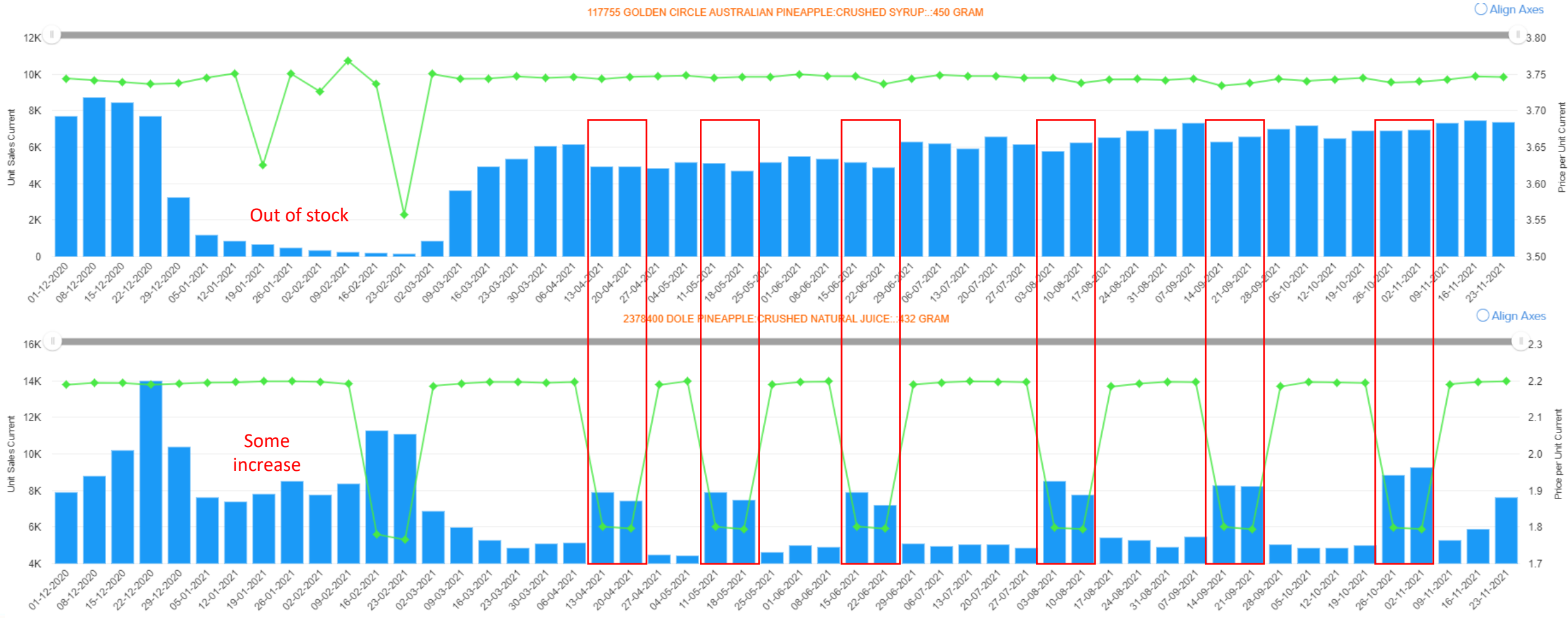
- Dole promotional uplifts are not matched by a corresponding dip in Golden Circle Unit Sales



Source: Retailer B Scan Data 52 Weeks to 23 Nov 2021

# CRUSHED IN SYRUP/JUICE ~400G

- Lengthy Golden Circle Crushed in Syrup 450g out of stock appears to have forced some volume to Dole Crushed in Juice 432g
- Since then, Dole discounting and Unit Sales lift has not affected Golden Circle, which is showing good growth



Source: Retailer B Scan Data 52 Weeks to 23 Nov 2021



A nighttime cityscape with a tall tower on the right side. The sky is dark blue with some clouds, and the city lights are visible in the foreground.

**PAVE**  READY  
FOR  
TOMORROW