



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Consumer Pineapple exported from the Republic of the Philippines (ADN 2016/81)

Consumer Pineapple exported from the Kingdom of Thailand (ADN 2016/82)

FSI Pineapple exported from the Kingdom of Thailand (ADN 2016/84)

The Anti-Dumping Review Panel (ADRP) has received applications for review of the decision of the Assistant Minister for Industry, Innovation and Science, made on 13 September 2016, to secure the continuation of anti-dumping measures on consumer pineapples exported from the Republic of the Philippines (Philippines) and the Kingdom of Thailand (Thailand), and to secure the continuation of measures on Food Service and Industrial (FSI) pineapple from Thailand (“Reviewable Decisions”). Notice of the Reviewable Decisions was published on 13 September 2016 on the Anti-Dumping Commission’s website.

- Kuiburi Fruit Canning Co., Ltd- dated 7 October 2016;
- Prime Products Industrial Co., Ltd- dated 12 October 2016; and
- Dole Philippines Incorporated- dated 13 October 2016.

The goods to which the applications relate to are-

- Pineapples prepared or preserved in containers not exceeding one litre (consumer pineapple); and
- Pineapples prepared or preserved in containers exceeding one litre (FSI pineapple)

The following grounds have been accepted for review:

Kuiburi

1. The decision to apply a rate of profit to a constructed value was incorrect;
2. The acceptance of a profit rate applicable to another market to arrive at an USP and NIP is flawed;
3. The recurrence of material injury from dumped goods fails to recognise the fact that the average selling price of Kuiburi sales to Australia increased approximately 25% in 2015 over 2014; and
4. The decision to recommend the continuation of measures for 20 years.

Prime Products

1. The Anti-Dumping Commission erred in ascertaining Prime Product’s export price.

Dole Philippines

1. The Anti-Dumping Commission erred in its adjustments to the normal value.

The ADRP proposes to conduct a review of the Reviewable Decisions. Interested parties may make submissions to the ADRP within **30 days** after the date of publication of this notice.

Submissions may be emailed to ADRP@industry.gov.au. Submissions may also be posted to:

The Anti-Dumping Review Panel, c/o ADRP Secretariat, Legal Services Branch,
Department of Industry and Science, GPO Box 9839 ACT 2600 Australia.

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the grounds seeking review, and other documents are available on the public record of the review at www.adreviewpanel.gov.au

The reports of the original investigation are available on the ADC website at www.adcommission.gov.au

Paul O'Connor
Panel Member
Anti-Dumping Review Panel
18 November 2016