
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

ECONOMIC DEVELOPMENT DEPARTMENT**NOTICE 239 OF 2019****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 03/2019**

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.

Increase in the rate of customs duty on:

Polyethylene terephthalate ("PET") classifiable under tariff subheadings 3907.61.10 and 3907.69.10, currently free of duty, and 3907.61.90 and 3907.69.90, currently at a duty of 10% *ad valorem*, to 15% *ad valorem*

APPLICANT:

Safripol, a Division of KAP Industrial (Pty) Ltd
149 Hime Street
Jacobs, Durban
4026

[ITAC reference: (17/2018); Enquiries: Siphon Tshabalala, E-mail: stshabalala@itac.org.za, Tel: (012) 394 3739 or Dolly Ngobeni, E-mail: dngobeni@itac.org.za, Tel: (012) 394 3667]

MAIN REASONS FOR THE APPLICATION AS SUBMITTED BY THE APPLICANT:

- *“Imports of PET which are a like product to the SACU product, have flooded the SACU market at very low prices;*
- *The flood of low-priced imports has resulted in a decline in Safripol’s sales volumes and market share;*
- *Safripol has recently completed a significant expansion investment of over R1 billion in order to increase its production capacity; the flood of low-priced imports has ensured that Safripol has not been able to achieve any returns on its investments”.*

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