

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 571 OF 2018
INTERNATIONAL TRADE ADMINISTRATION COMMISSION
CUSTOMS TARIFF APPLICATIONS
LIST 06/2018

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 applicants 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:

Acrylic resins classifiable under tariff subheadings 3906.90.20 and 3208.20.90 from free of duty and 10% *ad valorem* respectively, to 15% *ad valorem*

APPLICANT:

Ferro Coatings Resins (Pty) Ltd
4 Baltex Avenue
Prospecton
4133

[ITAC reference: (29/2015); 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]

REASONS FOR THE APPLICATION AS SUBMITTED BY THE APPLICANT:

- *“The business currently faces stiff competition from imported products particularly from India and Taiwan; over the years, import volumes have increased significantly. Some SACU FCR customers force FCR to match the low priced imported products at margins that do not allow it to fully recover its costs.*
- *A large proportion of the raw materials required for resin manufacture are sourced from international suppliers, currency fluctuations often result in a major impact on the cost of the raw materials and pricing in the local market.*
- *FCR competes with domestic manufacturers, distributors, and international companies who supply directly into South Africa. Competition with local manufacturers is “easier” to acknowledge as they compete on an even playing field since they all import the raw materials. However, competition with imported resins is more challenging as these companies usually have larger plants with greater efficiencies for scale.*

PUBLICATION PERIOD:

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