



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 635

11 May
Mei 2018

No. 41626

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ISSN 1682-5843



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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 246 OF 2018

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONS

LIST 04/2018

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 Dollar-Based Reference Price (DBRP) for sugar, classifiable under tariff heading 17.01 from US\$566/ton to US\$856.32/ton

APPLICANT:**South African Sugar Association (SASA)**

170 Flanders Drive
Mount Edgecombe
4300

Enquiries: ITAC Ref: 01/2018, Enquiries: Mr Oatlotse Madito, Ms Dolly Ngobeni, Mr Jacob Mtimkulu, or Ms Manini Masithela at e-mails: omadito@itac.org.za/ dngobeni@itac.org.za/ jmtimkulu@itac.org.za/ mmasithela@itac.org.za. Alternatively, contact (012) 394 3692/3667/3691/3682.

REASONS AS STATED BY THE APPLICANT:

- The South African sugar industry has been on a long term downward trend. This is attributed to on-going challenges of reduced profitability driven by increasing input costs and stagnant yields. Since 2000, the industry lost significant areas under cane, a net loss of 70 000 ha. Should the current policy framework be maintained, this current trend is likely to continue at a faster pace.
- The reasons for the new application is to increase the Dollar Based Reference Price for three reasons, namely:
 - a) The continued influx of duty paid imports;
 - b) The current level (USD566) is inadequate and is below cost of production (inadequate margins); and
 - c) As a mitigation measure against the impending Health Promotion Levy (HPL), formerly known as the Sugar Sweetened Beverage tax.

PUBLICATION PERIOD:

Representation should be submitted within **Three (3) weeks** of the date of this notice.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065