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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

Department of Trade, Industry and Competition

NOTICE 1009 OF 2022

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONS

LIST 06/2022

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 comment 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.

CREATION OF A TEMPORARY REBATE FACILITY UNDER SCHEDULE 4 OF THE CUSTOMS AND EXCISE ACT FOR THE IMPORTATION OF ONION POWDER CLASSIFIABLE UNDER TARIFF SUBHEADING 0712.20 AS FOLLOWS:

“Onions, in powder, classifiable in tariff subheading 0712.20, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided that the product is not available in the SACU region.”

APPLICANT:

Sensient Technologies South Africa (Pty) Ltd

11 Mastif Road
Limbro Business Park
Sandton
1608

Enquiries: ITAC Ref: 17/2021, Enquiries: Ms Manini Masithela at e-mail:
mmasithela@itac.org.za.

REASONS AS STATED BY THE APPLICANT:

The Applicant provided, *inter alia*, the following reasons for the application:

- “There are no local producers of onion powder in the Southern African Customs Union (SACU). Sensient is incurring an unnecessary cost in the form of tariffs to import a product that is not available in SACU.
- The current 20% duty in place was meant to protect the SACU manufacturers; however this is no longer necessary given that there are no domestic manufacturers.
- The duty has become an unnecessary cost burden. The cost savings resulting from the duty removal will be better spent elsewhere and at the same time make the pricing of the subject product more competitive.”

PUBLICATION PERIOD:

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

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