



Dumping Commodity Register

Pineapple Fruit – Consumer & FSI Exported from the Kingdom of Thailand and the Philippines

Document release date	Brief description of change(s)
29 January 2016	New manufacturer supplier relationship
15 July 2016	New manufacturer supplier relationship
13 October 2016	Continuation of measures (Thailand and consumer Philippines)
14 November 2016	Continuation of measures (FSI Philippines)
9 March 2017	Addition of Securities for Kuiburi Fruit Cup Co. Ltd
24 March 2017	Addition of FSI exporter, Natural Fruit Co. Ltd
28 April 2017	Removal of measures on Kuiburi Fruit Canning following ADRP decision.
3 July 2017	Removal of securities on Kuiburi Fruit Cup Co. Ltd
4 May 2018	Adjustment to duty assessment importation period
10 September 2018	Addition of Kuiburi Fruit Canning Co. Ltd following a Review of Measures.
22 February 2019	Measures from Thailand amended for Consumer Pineapple following a Review of Measures.
22 February 2019	Prime Products found to be exempt from FSI Pineapple measures following Revocation Review.
23 April 2020	Department name change.
10 October 2021	Findings of a Continuation Inquiry

Note:

DCRs notify the outcomes of finalised investigations and should be read in conjunction with any relevant current investigations, such as reviews and inquiries. Please refer to the [Cases page](#) on the website to locate any current information for this commodity.

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Question	Response
<p>1. What countries do measures apply to?</p>	<p>Measures currently apply to goods from the Kingdom of Thailand (Thailand) and the Philippines.</p> <p>On 11 October 2001, anti-dumping measures in the form of interim dumping duties (IDD) were imposed on pineapple fruit exported from Thailand. On 10 October 2006 (Consumer) and 13 November 2006 (FSI), anti-dumping measures in the form of IDD were imposed on pineapple fruit exported from the Philippines.</p> <p>On 13 September 2016, with an effective date of 11 October 2016, anti-dumping measures in the form of IDD were varied for consumer pineapple fruit exported from the Philippines following a continuation inquiry.</p> <p>On 13 September 2016, with an effective date of 18 October 2016, anti-dumping measures in the form of IDD were varied for consumer and food service industrial (FSI) pineapple fruit exported from the Kingdom of Thailand (Thailand) following a continuation inquiry.</p> <p>On 13 September 2016, with an effective date of 14 November 2016, anti-dumping measures in the form of IDD were varied for FSI pineapple fruit exported from the Philippines following a continuation inquiry.</p> <p>For more information please refer to the Final Reports REP 333 and REP 334 and Anti-dumping Notices 2016/81, 2016/82, 2016/83 and 2016/84.</p> <p>On 6 October 2021, with an effective date 10 October 2021, anti-dumping measures in the form of IDD for pineapple fruit (consumer) exported from the Philippines expired. On 13 November 2021 anti-dumping measures in the form of IDD for pineapple fruit (FSI) exported from the Philippines expire. For further information please refer to Final Report REP 571 & 572 and Anti-dumping Notice 2021/117.</p> <p>On 6 October 2021, with an effective date 17 October 2021, anti-dumping measures in the form of IDD for pineapple fruit (consumer & FSI) exported from Thailand expired. For further information please refer to Final Report REP 573 & 574 and Anti-dumping Notice 2021/118.</p>

<p>2. What types of pineapple fruit are subject to anti-dumping measures?</p>	<p>The goods subject to measures include:</p> <ol style="list-style-type: none"> 1. Consumer pineapple - Pineapple fruit prepared or preserved in containers not exceeding 1 litre; and 2. FSI Pineapple - Pineapple fruit prepared or preserved in containers exceeding 1 litre. <p>The following descriptions are <i>excluded</i> from measures, exemption type “GOODS” applies:</p> <ol style="list-style-type: none"> 3. Glace and/or dehydrated pineapple. <p>Further Information</p> <ol style="list-style-type: none"> 4. For pineapples, the applicable unit of quantity for Customs duty is litres. However for dumping duty purposes the applicable unit of quantity is kilograms. Kilograms should be converted to litres by dividing the number of kilograms by 1.043174. <p>For more information about the description of the goods subject to measures, please refer to Final Reports REP 333 and REP 334.</p>
<p>2. What types of pineapple fruit are subject to anti-dumping measures? (continued)</p>	<p>Please Note:</p> <ol style="list-style-type: none"> 1. When importing goods into the country importers are required to self-assess whether the imported goods meet the goods description outlined above and whether anti-dumping measures apply. 2. The Anti-Dumping Commission is not in a position to provide advice on whether certain goods meet the description above. 3. The use of exemption types is subject to monitoring by the Anti-Dumping Commission (the Commission) and Australian Border Force (ABF).
<p>3. How much Interim Dumping Duties (IDD) will an importer have to pay?</p>	<p><u>IDD – all exporters (except Thai Pineapple Canning, Malee Sampran, Kuiburi Fruit & Prime Products Industry)</u></p> <p>IDD is in the form of a fixed and variable measure. The total IDD liability is calculated as follows:</p> <ol style="list-style-type: none"> 5. fixed component of IDD: the IDD rate per kilogram; plus 6. variable component of IDD: the amount, if any, by which the DXP is lower than the AEP. <p><u>IDD – Prime Products Industry Co. Ltd, Kuiburi Fruit Canning and Tipco Pineapple (Consumer)</u></p> <p>IDD is in the form of a floor price measure. The total IDD liability is the amount, if any, by which the DXP is lower than the floor price.</p>

<p>4. Example of how to calculate the IDD liability</p>	<p><u>Fixed and variable measures</u></p> <p>The following is an example of how to calculate the IDD liability.</p> <ul style="list-style-type: none"> • DXP = AUD \$1.00 per Kg (Free-On-Board (FOB), cash) • AEP = AUD \$2.00 per Kg (FOB, cash) • Total quantity of goods of goods imported = 1000 kilograms of pineapples. • IDD rate = \$1.00 AUD per kilogram <p>IDD Liability</p> <p><u>Fixed component of IDD:</u> IDD rate per kilogram X total quantity of pineapple: $\\$1.00 \times 1000 \text{ Kg} = \\$1,000$</p> <p><u>Variable component of IDD:</u> The amount, if any, by which the DXP (\$1,000) is lower than the AEP (\$2,000): $\\$2,000 - \\$1,000 = \\$1,000$</p> <p>Total IDD liability: \$2,000 ($\\$1,000 + \\$1,000$)</p> <p><u>Floor Price measures</u></p> <p>The following is an example of how to calculate the IDD liability for a floor price measure.</p> <ul style="list-style-type: none"> • DXP = AUD \$1,000 (Free-On-Board (FOB), cash) • Floor Price = AUD \$2,000 (FOB, cash)
<p>4. Example of how to calculate the IDD liability (continued)</p>	<p>IDD Liability</p> <p>The amount, if any, by which the DXP (\$1,000) is lower than the floor price (\$2,000): $\\$2,000 - \\$1,000 = \\$1,000$</p>

5. What is the dumping export price (DXP) and how do I calculate it?

The DXP refers to the actual export price of the exported goods. The DXP should reflect the total export (invoice) price of the goods being entered, not the unit price of the goods.

The DXP should be recorded on the relevant Full Import Declaration for the goods in the same terms as the AEP for the goods. Calculating the DXP may involve adjusting the actual export invoice price of the goods to the terms specified for the AEP.

For example, if the AEP terms are “FOB, cash” and the actual invoice terms of the goods are “CIF, 60 days, packed”, the following adjustments will need to be made in order to calculate the DXP at FOB, cash level.

- step 1 - an adjustment for interest on credit terms will need to be made; and
- step 2 - the overseas freight and insurance components will need to be subtracted from the export invoice price.

Where suitable evidence cannot be proffered by the importer of the interest rate, then 1.0% per month (0.033% per day) should be applied to the actual invoice price credit terms.

An example of adjusting for credit and incoterms is provided below:

- Invoice terms = CIF, 60 days
- Specified terms = FOB, cash
- Export price - invoice amount = \$1,000
- Marine insurance and ocean freight amount = \$100

Step 1 - adjust for credit terms

1. 1% per month interest rate should be applied to the invoiced price credit terms (i.e. 30 days = 1%)
2. If the invoiced CIF, 60 days price is \$1,000, then the CIF, cash price = \$980 (\$1,000 less 2%)

Step 2 - adjust for incoterms

1. Adjust for freight and insurance to calculate DXP at FOB, cash equivalent
2. CIF, cash price of \$980 minus freight and insurance amount of \$100 = \$880
3. The DXP price = \$880 FOB, cash

<p>6. What information is needed to complete an import declaration for goods subject to measures?</p>	<p>The information required by an importer or Customs broker to complete an import declaration for goods subject to IDD is:</p> <ul style="list-style-type: none"> • DXP; • Dumping Specification Number (DSN) or exemption type (where appropriate); • Country (this is usually country of origin or export country); • Tariff classification and statistical code; • Exporter / supplier; and • Quantity. <p>Please see below to determine which DSN applies to the exporter of your goods.</p>																								
<p>7. What DSN do I use on the import declaration for my goods and what are the rates for my exporter? (continued)</p>	<p>The following DSNs apply to <u>FSI pineapples</u> exported from the Philippines and entered for home consumption on or after 18 October 2016 and 14 November 2016 respectively.</p> <table border="1" data-bbox="506 609 2042 829"> <thead> <tr> <th>Exporter</th> <th>CCID</th> <th>Description</th> <th>Measure</th> <th>IDD per kilogram</th> <th>Ascertained Export Price</th> <th>Export Terms</th> <th>DSN</th> </tr> </thead> <tbody> <tr> <td colspan="8">Philippines</td> </tr> <tr> <td><u>All other exporters</u></td> <td></td> <td>FSI</td> <td>IDD</td> <td>Confidential</td> <td>Confidential</td> <td>FOB, cash</td> <td>189</td> </tr> </tbody> </table> <p>Please Note:</p> <ul style="list-style-type: none"> • IDD rates and AEP are considered confidential. Please see below on how importers can request the rates. • The duty liability may be higher than the effective rate of duty published due to the variable component that may 	Exporter	CCID	Description	Measure	IDD per kilogram	Ascertained Export Price	Export Terms	DSN	Philippines								<u>All other exporters</u>		FSI	IDD	Confidential	Confidential	FOB, cash	189
Exporter	CCID	Description	Measure	IDD per kilogram	Ascertained Export Price	Export Terms	DSN																		
Philippines																									
<u>All other exporters</u>		FSI	IDD	Confidential	Confidential	FOB, cash	189																		
<p>8. How do I find out the confidential rate and ascertained export price for my exporter?</p>	<p>The IDD rate per kilogram and the AEP for each DSN are considered confidential and will not be published.</p> <p>Importers of these goods may be provided with the confidential IDD rate per kilogram and the AEP, however the onus is on the importer to substantiate their commercial relationship with an exporter/supplier of their goods by providing evidence of:</p> <ul style="list-style-type: none"> • A previous trading history with a nominated exporter/supplier of the goods. Evidence of a trading history would take the form of at least commercial invoices, packing list and bills of lading from previous shipments. Additional documentation may be requested by the Commission; or • In the absence of a trading history, an offer or a quotation from an exporter/supplier of goods subject to dumping/countervailing measures. The offer or quotation must be on the exporter/supplier's company letterhead – emails will not generally be accepted. <p>Requests and evidence should be sent to clientsupport@adcommission.gov.au</p>																								

8. How do I find out the confidential rate and ascertained export price for my exporter? (continued)	<p>Please note:</p> <ol style="list-style-type: none"> 1. Any requests for the confidential information that do not include sufficient evidence as outlined above will be rejected. 2. Only as much of the confidential information as is necessary to enter the goods will be provided. <p>The ABF will conduct monitoring of imports subject to anti-dumping measures consistent with its published policy.</p>				
9. Are there any exporters exempt from anti-dumping measures?	<p>All exporters and suppliers of pineapple fruit from Thailand and the Philippines are subject to IDD except Thai Pineapple Canning Corp Ltd, Malee Sampran Public Co. Ltd and Kuiburi Fruit Canning Co. Ltd (FSI) from Thailand.</p> <p>The 'all other exporters' rate of IDD will apply to exported goods unless an importer has evidence that the goods are being supplied either directly by a named exporter or through a linked supplier.</p>				
10. How long are the measures in place for?	<p>The measures have been imposed for five years, unless revoked earlier.</p> <p>Pineapple fruit (consumer & FSI) measures from Philippines are in place until 10 October 2021 and 13 November 2021 respectively. Pineapple fruit (consumer & FSI) measures from Thailand, measures are in place until 17 October 2021.</p>				
11. What tariff classifications and statistical codes are covered by the anti-dumping measures?	<p>Goods subject to measures should be classified using the tariff sub-headings and associated statistical codes below:</p> <table border="1" data-bbox="712 820 1408 906"> <thead> <tr> <th>Tariff subheading</th> <th>Statistical code</th> </tr> </thead> <tbody> <tr> <td>2008.20.00</td> <td>27 28</td> </tr> </tbody> </table> <p>These tariff classifications and statistical codes may apply to goods which are not subject to measures, may change because of amendments to the Working Tariff or the subject goods may be imported under tariff classification numbers that are not listed.</p> <p>The listing of this tariff classification and statistical code is for convenience or reference only and does not form part of the goods description. Please refer to the goods description for authoritative detail regarding goods subject to measures.</p> <p>Where importers are unclear on the correct tariff classification of their goods, it is recommended they check the Working Tariff page on the ABF website or contact the ABF on 131 881.</p>	Tariff subheading	Statistical code	2008.20.00	27 28
Tariff subheading	Statistical code				
2008.20.00	27 28				

12. What are the duty assessment importation and application period dates?

An importer of goods on which an IDD has been paid, may lodge an application with the Commissioner requesting that the Parliamentary Secretary make an assessment of the final liability of those goods to duty.

This usually occurs when an importer considers that the IDD paid in respect of goods exceed the total amount payable (i.e. importers consider they are entitled to a refund of duties). In relation to IDD, an importer may consider that the dumping margin for the goods is now less than it was during the investigation period, or that its exporter is no longer dumping, and as a result it has paid more duty than it should have paid.

There are a series of time frames fixed by legislation that govern the duty assessment system (referred to as importation periods). The duty assessment importation periods and application dates for pineapples from Thailand and the Philippines are as follows:

Pineapple Fruit (Consumer) – Philippines

Importation Period	Application Period
10 October 2019 – 9 April 2020	10 April 2020 – 9 October 2020
10 April 2020 – 9 October 2020	10 October 2020 – 9 April 2021
10 October 2020 – 9 April 2021	10 April 2021 – 9 October 2021
10 April 2021 – 9 October 2021	10 October 2021 – 9 April 2022

Pineapple Fruit (Consumer & FSI) - Thailand

Importation Period	Application Period
17 October 2019 – 16 April 2020	17 April 2020 – 16 October 2020
17 April 2020 – 16 October 2020	17 October 2020 – 16 April 2021
17 October 2020 – 16 April 2021	17 April 2021 – 16 October 2021
17 April 2021 – 16 October 2021	17 October 2021 – 16 April 2022

Pineapple Fruit (FSI) - Philippines

Importation Period	Application Period
13 May 2019 – 12 November 2019	13 November 2019 – 12 May 2020
13 November 2019 – 12 May 2020	13 May 2020 – 12 November 2020
13 May 2020 – 12 November 2020	13 November 2020 – 12 May 2021
13 November 2020 – 12 May 2021	13 May 2021 – 12 November 2021
13 May 2021 – 12 November 2021	13 November 2021 – 12 May 2022

More information about duty assessments is available on the [Anti-Dumping Commission website](#)