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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 2057 OF 2023

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONS

LIST 07/2023

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.

MINISTERIAL DIRECTIVE TO CREATE A TEMPORARY REBATE PROVISION REBATING THE FULL DUTY IN SCHEDULE NO. 1 AND SCHEDULE NO. 2 TO THE CUSTOMS AND EXCISE ACT, 1964 ON MEAT AND EDIBLE OFFAL, FRESH, CHILLED OR FROZEN OF FOWLS OF THE SPECIES *GALLUS DOMESTICUS*, CLASSIFIABLE UNDER TARIFF SUBHEADING 0207.1, IN SUCH QUANTITIES, AT SUCH TIMES AND SUBJECT TO SUCH CONDITIONS AS THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION MAY ALLOW BY SPECIFIC PERMIT AFTER CONSULTATION WITH THE DIRECTOR GENERAL: THE DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT, FOR THE DURATION OF THE SHORTAGE OF CHICKEN AS A RESULT OF AN OUTBREAK OF HIGHLY PATHOGENIC AVIAN INFLUENZA (HPAI) IN SOUTH AFRICA

Entity:

The Department of Trade, Industry and Competition (DTIC)

77 Meintjies Street

Sunnyside

Pretoria

0001

The Minister of Trade, Industry and Competition directed the International Trade Administration Commission of South Africa (ITAC) in terms of section 16(1)(d)(ii) of the International Trade Administration Act, Act 71 of 2002, to consider the creation of a temporary rebate provision on meat and edible offal, fresh, chilled or frozen of fowls of the species *Gallus Domesticus* classifiable under HS0207.1 taking into consideration the following aspects:

- a) "The investigation must be done in an expedited manner;
- b) Consideration must also be given to whether the temporary rebate should only be applicable to ordinary customs duties or whether rebating anti-dumping duties should also be included; and
- c) The rebate must be made subject to a rebate permit issued by ITAC in consultation with the Director-General of DALRRD".

Ref: 05/2023 **Enquiries:** Ms Manini Masithela, Email: mmanisithela@itac.org.za; Mr Scelo Mshengu, Email: SMshengu@itac.org.za.

PUBLICATION PERIOD:

Representation should be submitted to the above ITAC officials within **two (2) weeks** of the date of this notice.

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