



New Zealand Gazette

CUSTOMS EDITION

WELLINGTON: TUESDAY, 5 AUGUST 2003

TARIFF CONCESSION NOTICES

(INCLUDING OTHER NOTICES UNDER THE
TARIFF ACT 1988, THE DUMPING AND COUNTERVAILING DUTIES ACT 1988
AND THE CUSTOMS AND EXCISE ACT 1996)

TARIFF INDUSTRY ASSISTANCE (ADVERTISEMENT) NOTICE NO. 2003/29

Applications Advertised for Objection
Closing Date for Objections 26th August 2003

- 1 Notice is hereby given that the following applications have been made in respect of the goods advertised in the Schedule to this notice. Any person wishing to lodge an objection should do so in writing, to the Ministry of Economic Development, PO Box 1473, Wellington, Fax 0-4-474-2843 indicated by the reference number, before 26th August 2003. All submissions should include:
- the Tariff Industry Assistance (Advertisement) Notice number;
 - the Tariff item; and
 - Reference number.
- 2 All submissions from local manufacturers should include:
- the range of alternative goods made locally;
 - the grounds on which objection is made (including reasons why the local product is a suitable alternative);
 - present and potential output;
 - details of factory cost in terms of materials, labour, overheads, including the proportion of domestic and imported content.
- 3 Where further information is required in order to make a submission an objector should contact the applicant in writing and refer a copy of the enquiry to the Ministry of Economic Development quoting the details in paragraph 1 above.

Tariff Item	Description of Goods	Name and Address of Applicant	Part II Ref.	Appn. Ref. No.	*Category of Appn.
1108.12.00	Unmodified waxy maize starch, period 7/03 to 12/03	Penford NZ Ltd C/- PO Box 4407 AUCKLAND	99	999712B	S
2106.90.99	Complete amino acid mix	Nutricia Ltd PO Box 62523 Central Park AUCKLAND 6	99	999714J	A
3926.90.69	Meshed corner beads	Owens International PO Box 17055 Greenlane AUCKLAND	99	999711D	A
8419.81.00	Stone hearth, wood fired, gas fired and wood/gas fired pizza ovens	Wildfire Specialty Restaurant Systems Ltd C/- Customs Agents Auckland Ltd PO Box 2367 AUCKLAND	99	999710F	A
8479.81.00	Wire braiding machines	Tyco Electronics NZ Ltd PO Box 22202 CHRISTCHURCH	99	999713L	A

* Category of Application:	A	–	General Approval
	CE	–	Capital Equipment
	IM	–	Inputs to Manufacturing – Inability to Supply
	MS	–	Manufacturers' Samples
	RUC	–	Revocation of Unused Concession
	S	–	Shortfall
	SS	–	Special Situation
	V	–	Variation of Existing Concession
	W	–	Withdrawal of Concession
	+	–	Denotes amendment or addition

Dated at Wellington this 31st day of July 2003.

V.A. MANKS, Ministry of Economic Development.

Tariff Act 1988

TARIFF CONCESSION APPROVALS, WITHDRAWALS AND DECLINES NOTICE (NO. 29) 2003

I, Vincent Anthony Manks, Executive Officer, Ministry of Economic Development, acting pursuant to section 8 of the Tariff Act 1988 under delegated authority hereby:

- (a) In accordance with Part II of the Tariff approve in respect of the entry of goods listed in the First Schedule to this notice the rates of duty or exemptions from duty specified in that Schedule with effect from the first day of the month so specified; and
- (b) In accordance with Part II of the Tariff approve in respect of the entry of goods listed in the Second Schedule to this notice the exemptions from duty specified in that Schedule with effect from the first day of the month so specified subject however to such purposes and conditions which I prescribe.

FIRST SCHEDULE
Concessions Approved

	Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
			Normal	Pref.			From	To
A	2106.90.99	Arasco powder, of a kind used in infant nutritional product formulations	Free	Free	99	999657F	4/03	..
A	8714.20.00	Parts and accessories of a kind used in the construction/maintenance of wheelchairs, excluding parts of general use	Free	Free	99	999658D	6/03	..

SECOND SCHEDULE
Concession Approvals Subject to Prescribed Purposes and Conditions

	Tariff Item	Description of Goods	Rates of Duty		Part II Ref.	Ref. No.	Effective	
			Normal	Pref.			From	To
S	0811.20.09	Blackberries, IQF (individually quick frozen)	Free	Free	99	999659B	6/03	2/06
S	0811.20.09	Raspberries, IQF (individually quick frozen)	Free	Free	99	999660F	4/02	12/02
X	7010.90.38	Bottles, 330ml beer pry off crown seal – 200,000 units	Free	Free	99	999203A	4/02	8/03
SS	8903.92.00	One only tournament style wakeboard boat (Sanger V210)	Free	Free	99	999661D	6/03	6/04

Category of Approval:	A	–	General Approval
	CE	–	Capital Equipment
	GT	–	Goods in Transit
	IM	–	Inputs to Manufacturing – Inability to Supply
	MS	–	Manufacturers' Samples
	RUC	–	Revocation of Unused Concession
	S	–	Shortfall
	SS	–	Special Situation
	V	–	Variation of Existing Concession
	X	–	Administrative Amendment

The concessions approved subject to prescribed purposes and conditions as listed in the Second Schedule to this notice will not be published in the Consolidated List of Approvals.

Dated at Wellington this 31st day of July 2003.

V.A. MANKS, Ministry of Economic Development.

AUSTRALIA-NEW ZEALAND CLOSER ECONOMIC RELATIONS TRADE AGREEMENT**Application for the Approval of Goods as Determined****Imported Materials - Notice 2003/1**

Notice is hereby given that application has been made for the approval of the goods, described in the Schedule hereto, as determined import materials in accordance with the rules governing the origin of “wholly manufactured” goods.

Any person wishing to lodge an objection to New Zealand determining the goods described in the following schedule, should do so in writing on or before 29 August 2003. Submissions should include a reference to the application number, tariff item, and description of goods concerned, be addressed to the National Manager Goods Management, PO Box 29, Auckland, for the attention of The National Tariff Advisory Unit, and be supported by information as to the quality, range, supply, etc., of the goods or suitable alternatives produced in New Zealand.

SCHEDULE

Application Number	Tariff Item	Goods
2003/1	2933.99.00	Clethodim

Dated at Wellington this 29th day of July 2003

R.C. Dare
Comptroller of Customs

Economic Development

Dumping and Countervailing Duties Act 1988

Final Determination: Dumping Investigation in Respect of Hog Bristle Paintbrushes From China, Amendment No. 3 (Duty Reassessment)

Pursuant to section 14 of the Dumping and Countervailing Duties Act 1988 ("the Act"), the Minister of Commerce, having carried out a reassessment of anti-dumping duty in respect of imports into New Zealand of hog bristle paintbrushes from China and having determined a new amount of anti-dumping duty applicable to those goods, gives the following notice.

Notice

1. Title and commencement—(1) This notice may be cited as the "Final Determination: Dumping Investigation in Respect of Hog Bristle Paintbrushes from China, Amendment No. 3", and shall be read together with and deemed part of the notice entitled "Final Determination", dated on the 31st day of May 1988 and published in the *New Zealand Gazette*, 2 June 1988, page 2228 (hereinafter referred to as the principal notice).

(2) Pursuant to section 14 (6) of the Act, the reassessed anti-dumping duty applicable to complete paintbrushes, set out in the Second Schedule to this notice, shall apply to imports of the goods (except for paintbrush heads) specified in the First Schedule to this notice with effect from 25 October 2002, being the date of the initiation of the review that preceded the duty reassessment. In accordance with section 14 (10) of the Act, Customs is required to refund the difference between the duty paid and any lower duty specified in the Second Schedule to this notice. Where there is a difference between the duty paid and any higher duty specified in the Second Schedule, there will be no liability for the payment of this difference.

(3) Pursuant to section 14 (6) of the Act, the rates of anti-dumping duty established for paintbrush heads, set out in the Second Schedule to this notice, shall apply to imports of the goods (except for complete paintbrushes) specified in the First Schedule to this notice with effect from the day after the date of this notice.

2. Amendment to anti-dumping duty applicable—The principal notice (as amended by the notices in *New Zealand Gazette*, 9 April 1992, page 1055, entitled "Final Dumping Determination (Paintbrushes), Amendment No. 1" and in *New Zealand Gazette*, 6 November 1997, page 3714, entitled "Final Determination: Dumping Investigation in Respect of Hog Bristle Paintbrushes From China, Amendment No. 2 (Duty Reassessment)") is hereby amended by omitting the Schedule and substituting the Schedule to this notice.

"Schedule

New Schedule to Principal Notice

First Schedule

Goods Subject to Determination

Country of Origin

The People's Republic of China

Description of Goods

Hog bristle paintbrushes for household or industrial use*

*Note: This description includes hog bristle paintbrush heads.

The goods are currently classified under Tariff Item and Statistical Keys 9603.40.00.02D and 9603.40.00.11C of the Tariff of New Zealand, which classification is provided for convenience and Customs purposes only, the written description being dispositive.

Second Schedule

Amount of Anti-Dumping Duty

The amount of anti-dumping duty to be paid on demand in respect of each importation of the subject goods shall be the amount by which the Non-Injurious Free on Board or Normal Value (Value for Duty Equivalent) amounts in respect of the listed sizes by group¹ as set out below exceed the New Zealand Value for Duty of the goods when entered for home consumption.

Normal Value (Value for Duty Equivalent) and Non-Injurious Free on Board Amounts per Complete Paintbrush

Size (mm)	Industrial	Handyman	Tradesman
25	4.40**	4.40**	4.49**
38	6.19**	6.28**	6.37**
50	9.25**	9.52**	9.52**
63	2.89*	11.85**	11.94**
75	13.65**	13.91**	14.18**
100	4.88*	18.76**	19.39**

*Alternative Duty****

63	11.49**
100	18.58**

Normal Value (Value for Duty Equivalent) and Non-Injurious Free on Board Amounts per Paintbrush Head

Size (mm)	Industrial	Handyman	Tradesman
25	3.12**	3.12**	3.19**
38	4.39**	4.46**	4.52**
50	6.57**	6.76**	6.76**
63	2.05*	8.41**	8.48**
75	9.69**	9.88**	10.07**
100	3.46*	13.32**	13.77**

*Alternative Duty****

63	8.16**
100	13.19**

*Non-Injurious-Free-On-Board amount in New Zealand dollars.

**Normal Value (Value for Duty Equivalent) amount in Chinese renminbi.

***Note: An alternative duty rate has been set at the NV(VFDE) rate which should be applied instead of the NIFOB rate where the NIFOB duty amount calculated exceeds the NV(VFDE) amount due to exchange rate fluctuations.

Normal Value (Value for Duty Equivalent) amounts of complete paintbrushes of less than 25mm shall be an amount which bears the same proportion to Chinese renminbi 4.40 as the size bears to 25mm. Normal Value (Value for Duty Equivalent) amounts of paintbrush heads of less than 25mm shall be an amount which bears the same proportion to Chinese renminbi 2.48 as the size bears to 25mm.

Normal Value (Value for Duty Equivalent) and Non-Injurious Free on Board amounts of complete paintbrushes and paintbrush heads of sizes larger than 25mm and of a size other than those listed in the table above, shall be an amount which bears the same proportion to the Normal Value (Value for Duty Equivalent) or Non-Injurious Free on Board amount of the nearest size in the tables above. The relevant category of paintbrush or paintbrush head for such other sizes shall be determined in accordance with the instructions set out below under "Description of Groups".

¹ *Description of Groups*

Paintbrushes are categorised in groups according to their volume of bristle calculated by multiplying the width of the bristle at the top of the ferrule by the depth of the bristle at the top of the ferrule by the length of the bristle from the top of the ferrule to the tip of the brush, the measurements being made in millimetres.

Range of Cubic Volume of Bristle (mm³)

<i>Size (mm)</i>	<i>Group 1 Industrial</i>	<i>Group 2 Handyman</i>	<i>Group 3 Tradesman</i>
25	0 - 11,500	11,501 - 15,000	>15,000
38	0 - 20,000	20,001 - 25,000	>25,000
50	0 - 33,500	33,501 - 36,000	>36,000
63	0 - 38,000	38,001 - 44,000	>44,000
75	0 - 45,000	45,001 - 55,000	>55,000
100	0 - 65,000	65,001 - 90,000	>90,000

For complete paintbrushes and paintbrush heads of sizes larger than 25mm and of a size other than those listed in the table above, the cubic volume of bristle for each of the three groups for that size shall be calculated in accordance with the proportion that such a size represents of the nearest size listed in the table above."

Dated at Wellington this 22nd day of July 2003.

JOHN TAMIHERE, Associate Minister of Commerce.

A copy of the non-confidential version of the Final Report which contains details of the reassessment and the conclusions reached, is available from the Manager, Trade Remedies Group, Ministry of Economic Development, P.O. Box 1473, Wellington.

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