



New Zealand Gazette

CUSTOMS EDITION

WELLINGTON: TUESDAY, 1 DECEMBER 2009

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 CONCESSION (ADVERTISEMENT) NOTICE NO. 2009/46

Applications Advertised for Objection
Closing Date for Objections 22nd December 2009

- 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 04-499 8508, before 22nd December 2009. All submissions should include:
 - the Tariff Concession (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.

SCHEDULE

| Tariff Item | Description of Goods | Name and Address of Applicant | Part II Ref. | Appn. Ref. No. | *Category of Appn. |
|------------------|---|---|--------------|----------------|--------------------|
| 2309.90.19 | CURRENT APPROVAL: Bio-Chrome, Sel-Plex, Bio-Mos, Mycosorb, Yea-Sacc, NuPro, Actigen animal feed yeast supplements | | 99 | 302690G | V |
| 2309.90.19 | REQUESTED APPROVAL: Bio-Chrome, Sel-Plex, Bio-Mos, Mycosorb, Yea-Sacc, NuPro, Actigen Lifeforce, animal feed yeast supplements | Alltech (NZ) Ltd PO Box 69170 Glendene WAITAKERE 0645 | 99 | 302808K | V |
| 3814.00.00 | Make-up fluid of a kind used in a continuous ink jet process | APC Logistics (NZ) Ltd PO Box 73054 Auckland Airport MANUKAU 2150 | 99 | 302811K | A |
| 3920.20.09 | 600 tonnes, three layer cast co-extruded film comprised of layers of polypropylene and EVA, the overall gauge of which is 25-40 microns in thickness. Period 1/4/2010 - 31/3/2011 for own use in manufacture by Fonterra Brands Ltd | Fonterra Brands Ltd C/- Dubber and Craig Customs Ltd PO Box 1847 AUCKLAND 1140 | 99 | 302809H | IM |
| 3923.50.00 | LLDPE cap with foam/TPE seal, for use with crown finish 11, 15 and 19 litre water bottles | Grief NZ Ltd C/- Aqua Air Freight Services Ltd PO Box 201062 AUCKLAND AIRPORT | 99 | 302806C | A |
| 40.05) 40.08) | Self bonding tape of poly-butyl rubber compound | Tollesbury Enterprises Ltd C/- Gateway Cargo Systems Ltd PO Box 53074 AUCKLAND AIRPORT | 99 | 302812H | A |
| Chapter 60 | #700 Germma 70% wool, 25% nylon P.A, 50% AF– 5000m ² 87708 100% nylon, – 5000m ² JH-1306 45% wool, 55% polyester – 5000m ² | Smith Beckingsale Textiles Unit 4 36 Settlers Crescent CHRISTCHURCH | 99 | 302810A | IM |

| | | | |
|----------------------------|-----|---|---|
| * 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 of Other Than Manufacturing Inputs |
| | SMI | – | Shortfall of Manufacturing Inputs |
| | SS | – | Special Situation |
| | V | – | Variation of Existing Concession |
| | W | – | Withdrawal of Concession |
| | + | – | Denotes amendment or addition |

Dated at Wellington this 26th day of November 2009.

V.A. MANKS, Ministry of Economic Development.

Tariff Act 1988

TARIFF CONCESSION APPROVALS, WITHDRAWALS AND DECLINES NOTICE (NO. 46) 2009

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) Withdraw with effect fourteen days from the date of this Gazette, or otherwise at the date so specified, the approvals granted in respect of the entry of goods listed in the Third Schedule to this notice.

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 | Food preparations in pellet form, based on soya bean, canola and coconut oil, of a kind used in the manufacture of dairy, cereal and baked products | Free | Free | 99 | 302747D | 8/09 | .. |
| A 3924.10.09 | Beverage shot glasses, of plastics including those divided into two compartments, of a maximum overall capacity not exceeding 60ml | Free | Free | 99 | 302784J | 9/09 | .. |
| A 6001.22.09 | 3 ply laminated fabric, comprising warp knit fabric of loop pile, polyurethane foam, tricot warp knit fabric | Free | Free | 99 | 302624J | 9/08 | .. |
| A 9031.80.08 | A biometric control gate for passenger immigration and Customs processing having individual functions that include: the making an electronic photograph of the passenger and performing a biometric analysis; comparing that biometric analysis with an analysis previously made of the photograph stored in the passenger's epassport; and opening a physical barrier when the photographs match | Free | Free | 99 | 302788A | 10/09 | .. |

THIRD SCHEDULE
Concession Approvals Withdrawn

| Tariff Item | Description of Goods | Rates of Duty | | Part II Ref. | Ref. No. | Effective | |
|-------------|----------------------|---------------|-------|--------------|----------|-----------|----|
| | | Normal | Pref. | | | From | To |
| 3924.10.09 | Plastic ... 60ml | .. | .. | .. | 302029A | .. | .. |
| 8535.30.00 | Bow ... vessels | .. | .. | .. | 983408H | .. | .. |

| | | | |
|-----------------------|-----|---|---|
| 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 of Other Than Manufacturing Inputs |
| | SMI | – | Shortfall of Manufacturing Inputs |
| | SS | – | Special Situation |
| | V | – | Variation of Existing Concession |
| | X | – | Administrative Amendment |

Dated at Wellington this 26th day of November 2009.

V.A. MANKS, Ministry of Economic Development.

Extracts from *New Zealand Gazette*, 26 November 2009, No. 171, pages 4129 and 4130

Economic Development

Dumping and Countervailing Duties Act 1988

Reassessment of Anti-Dumping Duty: Galvanised Wire From Malaysia

Pursuant to section 14(6) of the Dumping and Countervailing Duties Act 1988 (“the Act”), the Minister of Commerce, having carried out a reassessment of the anti-dumping duty applying to imports into New Zealand of galvanised wire from Malaysia, following the completion of a review under section 14(8) of the Act, and having determined a new rate of anti-dumping duty applicable to those goods, gives the following notice.

Notice

Title and commencement—(1) This notice may be cited as the “Reassessment of Anti-Dumping Duty: Galvanised Wire from Malaysia”.

(2) This notice replaces and supersedes all previous notices in relation to the subject goods described below in the First Schedule.

(3) Pursuant to section 17 of the Act, the reassessed anti-dumping duty, set out in the Second Schedule to this notice, shall apply to imports of the goods specified in the First Schedule with effect from the day after the date of this notice.

First Schedule

Subject Goods

Country of Origin

Malaysia.

Description of Goods

The subject goods that the reassessed anti-dumping duty rate applies to are described as:

Galvanised steel wire of high, medium and low tensile strength between (and including) 2mm and 4.5mm in diameter.

The goods are currently classified under Tariff Item 7217.20.10 and Statistical Keys 05L, 07G, 08E, 09C, 11E, 13A, 15H, 16F, 17D, 18B, 25E, 27A 28K, 29H, 31K, 33F, 35B, 36L, 37J and 39E, and Tariff Item 7217.20.90 and Statistical Keys 05D, 07L, 08J, 09G, 11J, 13E, 15A, 16K, 17H and 18F of the Tariff of New Zealand, which classifications are 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 imported shall be an *ad valorem* rate of 15 per cent.

The *ad valorem* (percentage) rate will apply to all imports of the subject goods from Malaysia (excluding those from RCI Wire Sdn. Bhd.), on the basis of the Customs’ value for duty (VFD) of the subject goods when imported into New Zealand.

Dated at Wellington this 17th day of November 2009.

HON SIMON POWER, Minister of Commerce.

Note: A non-confidential version of the final review and reassessment report, which contains details of the conclusions reached, is available from the Trade Rules, Remedies and Tariffs Group, Competition, Trade and Investment Branch, Ministry of Economic Development, PO Box 1473, Wellington 6140.

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Reassessment of Anti-Dumping Duty: Reinforcing Steel Bar and Coil From Thailand

Pursuant to section 14(6) of the Dumping and Countervailing Duties Act 1988 (“the Act”), the Minister of Commerce, having carried out a reassessment of the anti-dumping duty applying to imports into New Zealand of reinforcing steel bar and coil from Thailand, and following the completion of a review under section 14(8) of the Act, and having determined a new rate of anti-dumping duty applicable to those goods, gives the following notice.

Notice

Title and commencement—(1) This notice may be cited as the “Reassessment of Anti-Dumping Duty: Reinforcing Steel Bar and Coil from Thailand”.

(2) This notice replaces and supersedes all previous notices in relation to the subject goods described below in the First Schedule.

(3) Pursuant to section 17 of the Act, the reassessed anti-dumping duty, set out in the Second Schedule to this notice, shall apply to imports of the goods specified in the First Schedule with effect from the day after the date of this notice.

First Schedule

Subject Goods

Country of Origin

Thailand.

Description of Goods

The subject goods that the reassessed anti-dumping duty rate applies to are described as:

Reinforcing steel bar and coil with a diameter equal to or greater than 5mm and less than or equal to 40mm.

The goods are currently classified under Tariff Item 7213.10.90 and Statistical Keys 01E and 09L, Tariff Item 7213.91.90 and Statistical Keys 01J, 05A and 09D, Tariff Item 7213.99.90 and Statistical Keys 01E, 05H and 09L, Tariff Item 7214.20.90 and Statistical Keys 01G and 05K, Tariff Item 7214.99.90 and Statistical Keys 01C, 03K, 11L, 13G and 21H, Tariff Item 7227.90.00 and Statistical Key 19H, Tariff Item 7228.30.00 and Statistical Key 19D, Tariff Item 7228.50.00 and Statistical Key 19A and Tariff Item 7228.60.00 and Statistical Key 19E of the Tariff of New Zealand, which classifications are 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 imported shall be an *ad valorem* rate of 28 per cent.

The *ad valorem* percentage rate will apply to all imports of the subject goods from Thailand on the basis of the value for duty (VFD) of the subject goods when imported into New Zealand.

Dated at Wellington this 17th day of November 2009.

HON SIMON POWER, Minister of Commerce.

Note: A non-confidential version of the Final Reassessment Report which contains details of the conclusions reached, is available from the Trade Rules, Remedies and Tariffs

Group, Competition, Trade and Investment Branch, Ministry of Economic Development, PO Box 1473, Wellington 6140.

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Reassessment of Anti-Dumping Duty: Canned Peaches From Greece

Pursuant to section 14(6) of the Dumping and Countervailing Duties Act 1988 ("the Act"), the Minister of Commerce, having carried out a reassessment of the anti-dumping duty applying to imports into New Zealand of canned peaches from Greece, following the completion of a review under section 14(8) of the Act, and having determined new rates 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 "Reassessment of Anti-Dumping Duty: Canned Peaches from Greece".

(2) This notice replaces and supersedes all previous notices in relation to the subject goods described below in the First Schedule.

(3) Pursuant to section 17 of the Act, the reassessed anti-dumping duty, set out in the Second Schedule to this notice, shall apply to imports of the goods specified in the First Schedule with effect from the day after the date of this notice.

First Schedule

Subject Goods

Country of Origin

Greece

Description of Goods

The subject goods from Greece are described as:

Peaches (halves, slices or pieces) packed in retail size cans

The subject goods are classified under Tariff Item 2008.70.09 and Statistical Key 00L 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 (NIFOB) or Normal Value (Value For Duty Equivalent) (NV(VFDE)) amounts set out below exceed the New Zealand Value For Duty of the goods when entered for home consumption.

Reference Prices (Per Kilogram)

| <i>Can Size</i> | <i>Reference Price NIFOB</i> | <i>*Alternative Duty NV(VFDE)</i> |
|-----------------|----------------------------------|---------------------------------------|
| 410g | NZD ____ | EUR 1.88 |
| 820g | NZD ____ | EUR 1.66 |
| 3kg | NZD ____ | EUR 1.53 |

*An alternative reference price has been set as the NV(VFDE) amount. This reference price will apply where the NV(VFDE) amount is lower than the NIFOB amount due to exchange rate movements.

NIFOB amounts have been kept confidential as they are based on commercially sensitive information provided by various parties. The confidential amounts are held by the Ministry of Economic Development and the New Zealand Customs Service.

Where the can size is not one of the specified sizes, the rate of duty shall be based on the NIFOB or NV(VFDE) amount for the can size which is closest to the imported can size.

Dated at Wellington this 18th day of November 2009.

HON SIMON POWER, Minister of Commerce.

Note: A non-confidential version of the Final Reassessment Report, which contains details of the conclusions reached, is available from the Trade Rules, Remedies and Tariffs Group, Competition, Trade and Investment Branch, Ministry of Economic Development, PO Box 1473, Wellington 6140.

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