

Initiation of Reconsideration of Review of Anti-Dumping Duties: Preserved Peaches from Spain

Pursuant to the direction of the High Court and to section 14 of the Dumping and Countervailing Duties Act 1988, and acting under delegated authority from the Chief Executive of the Ministry of Business, Innovation and Employment, I have initiated a reconsideration of the review of anti-dumping duties on the goods described in the Schedule of this notice ("goods"). This initiation follows the judgment of the High Court in *Heinz Wattie's Ltd v the Ministry of Business, Innovation and Employment* [2018 NZHC 2309 (4 September 2018)] which quashed the then Minister of Commerce and Consumer Affairs' original determination of 1 March 2017, and directed that the reconsideration be conducted on the basis set out in paragraphs 90(b) and (c) of the judgment, as in force in August 2016.

Schedule

Goods Subject to Reconsideration

Country of Origin

Spain.

Description of Goods

Peaches in preserving liquid, in containers up to and including 4.0kg.

During the period of investigation for the reconsideration the goods were classified under tariff item and statistical key 2008.70.09.00L, which classification is provided for convenience and Customs' purposes only, the written description being dispositive.

Dated at Wellington this 8th day of March 2019.

DR PETER CRABTREE, General Manager, Science, Innovation and International, Ministry of Business, Innovation and Employment.

Invitation for Submissions

Interested parties are invited to make submissions in relation to the reconsideration at: traderem@mbie.govt.nz.