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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 117

16 March 2021

INTERNATIONAL TRADE ADMINISTRATION COMMISSION**CUSTOMS TARIFF APPLICATIONS****LIST 04/2021**

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following applications concerning the Customs Tariff. Any objection to or comment on these representations 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 these applications 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.

1. CREATION OF A REBATE PROVISION OF ORDINARY CUSTOMS AND SAFEGUARD DUTIES ON:

“Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, in coils, not further worked than hot-rolled, pickled, of a thickness of 3 mm or more but less than 4,75 mm, classifiable in tariff subheading 7208.26, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the products are not available in the SACU market; and

Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, in coils, not further worked than hot-rolled, pickled, of a thickness of less than 3 mm, classifiable in tariff subheading 7208.27, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market”

APPLICANT:

Steelbank Merchants (Pty) Ltd
90 Rivonia Road
Sandton
2196

Enquiries: ITAC Ref: **22/2020**, Enquires: Lufuno Maliaga and Diphetogo Rathete, email: lmaliaga@itac.org.za/drathete@itac.org.za

REASONS FOR THE APPLICATION:

- There is no domestic manufacture of the flat-rolled products of iron or non-alloy steel, of width of 600mm or more, hot-rolled, not clad, plated or coated, classifiable under tariff subheadings 7208.26 and 7208.27 of the grade and specifications required for various applications in the automotive industry; and
- Currently, the customs and safeguard duties incurred on the subject products are passed on to the end-users.

PUBLICATION PERIOD:

Written representations must be submitted within **four (4) weeks** of the date of this notice.

2. CREATION OF A TEMPORARY REBATE PROVISION OF ORDINARY CUSTOMS DUTIES AND SAFEGUARD DUTIES APPLICABLE ON:

Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated, classifiable in tariff heading 72.08, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose;

Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated, classifiable in tariff heading 72.09, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose;

Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated, classifiable in tariff headings 72.10, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the products are not available in the SACU market and also that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose;

Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, not clad, plated or coated, classifiable in tariff headings 72.11, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose;

Flat-rolled products of iron or non-alloy steel, of a width of less than 600 mm, clad, plated or coated, classifiable in tariff headings 72.12, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose;

Flat-rolled products of other alloy steel, of a width of 600 mm or more, of silicon-electrical steel classifiable in tariff heading 7225.1, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose;

Other flat-rolled products of other alloy steel, of a width of 600 mm or more, other, classifiable in tariff heading 7225.99, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose; and

Other flat-rolled products of other alloy steel, of a width of less than 600 mm, classifiable in tariff heading 7226.9, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the products are not available in the SACU market and that the flat-rolled products are not specifically covered by another rebate provision in Schedule No. 4 for the same industry and purpose.”

APPLICANT:

The Department of Trade, Industry and Competition (“the dtic”)

The dtic Campus
77 Meintjies Street
Sunnyside
Pretoria
0002

Enquiries: ITAC Ref: 23/2020 Ms. Diphetogo Rathete/ Mr. Njabulo Mahlalela email drathete@itac.org.za/nmahlalela@itac.org.za.

REASONS FOR THE APPLICATION:

The reasons for the application included, *amongst others*, the following:

- Concerns received from a number of downstream sectors indicating that there are interruptions in the reliable supply of steel domestically which has resulted in critical shortage of steel;
- The critical shortage of steel is mainly attributable to unplanned and unforeseen shutdown at ArcelorMittal South Africa Limited (“AMSA”) plants which have worsened due to the company’s decision to restart its second blast-furnace at its Vanderbijlpark post the Covid-19 lockdown;
- Furthermore, the reliability of supply by AMSA has been an ongoing issue prior to Covid-19; and
- The ongoing primary steel shortages and supply challenges of flat steel products is placing the value chain at risk.

PUBLICATION PERIOD:

Representation should be made within **Two (2) weeks** from the date of this notice. The Commission would consider extension requests submitted in terms of Section 20.5 of the Amended Tariff Investigation Regulations.

3. MINISTERIAL DIRECTIVE TO REVIEW THE TARIFF STRUCTURE FOR POULTRY, CLASSIFIABLE UNDER TARIFF HEADING 0207.1**ENTITY:**

The Department of Trade, Industry and Competition (DTIC)

77 Meintjies Street

Sunnyside

Pretoria

0001

Note: Comments must be provided in the format of a questionnaire obtainable on ITAC's website at www.itac.org.za, link: **Services - Tariff investigations - Government Gazette Notices – Other publication notices**

The Minister directed ITAC to review the entire tariff structure for poultry (fowls of the species *Gallus Domesticus*) taking into consideration, *inter alia*, the following aspects:

- a) *“considering the introduction of specific rather than ad valorem customs duties;*
- b) *considering simplifying the tariff structure by reducing the number of tariff lines for poultry in Schedule 1 to the Customs and Excise Act, Act 91 of 1964, by operating at a 6-digit, 7-digit or 8-digit level;*
- c) *considering specific anti-dumping measures where appropriate and consider how these impact on the level of the ad valorem tariffs;*
- d) *considering the introduction of an appropriate system of rebates whereby tariff levels on certain imports can be reduced where parties are achieving exports; and*
- e) *considering the possibility of other measures, such as an entry price system.*

”Ref: 21/2020 **Enquiries:** Ms Manini Masithela, Email: mmasithela@itac.org.za, Tel: 012 394 3682; Mr Oatlotse Madito, Email: omadito@itac.org.za, Tel 012 394 3692; Mrs. Amina Varachia, Email: avarachia@itac.org.za, Tel: 012 394 3732; and Mr Jacob Mtimkulu, Email: jmtimkulu@itac.org.za, Tel 012 394 3691.

PUBLICATION PERIOD:

Representation should be submitted to the above ITAC officials within **four (4) weeks** of the date of this notice.