



**AUSTRALIAN
CUSTOMS SERVICE**

Australian Customs Dumping Notice
No.2000/39

CUSTOMS ACT 1901 - PART XVB

REVIEW FINDING ON BULK BRANDY

EXPORTED FROM FRANCE

In ACDN 2000/14 of 22 March 2000, Customs notified a review under subsection 269ZC(4) of the countervailing duty applicable to bulk brandy exported to Australia from France.

Customs has completed its review and has found that each of the variable factors relevant to the determination of the countervailable duty had changed. These variable factors are the non-injurious free on board price and the countervailable subsidy amount. Accordingly, Customs recommended in its report to the Minister (Trade Measures Report No. 25) that the level of the variable factors be revised. A summary of the report is attached.

The Minister has accepted Customs recommendations.

The changes will be notified in the *Commonwealth of Australia Gazette* and in the *Australian Financial Review* on 7 September 2000. The re-ascertained measures will not be included as publication may adversely affect the business or commercial interests of certain interested parties.

Bona fide importers of the goods subject to the review may obtain details of the revised measures from the Customs office where they normally conduct their business.

A copy of the Trade Measures Report No. 25 will be sent to all those who have participated in the inquiry. Requests for copies of the report may be directed to Phil Hilyard, Trade Measures Office Management, Canberra, on telephone (02) 6275 6057; by facsimile (02) 6275 6888; or by e-mail at: phil.hilyard@customs.gov.au.

A copy of the report will also be available on the internet at:

<http://www.customs.gov.au/notices/reports/report25.htm>

Any other inquiries regarding this review may be directed to Petri Povel, Assistant Director, Dumping Review on telephone (02) 6275 6055 or by facsimile (02) 6275 6990.

(Paul O'Connor)
National Manager, Trade Measures
FOR CHIEF EXECUTIVE OFFICER
CANBERRA, ACT
7 September 2000

SUMMARY

This report concerns a review of the level of the countervailing duty payable on bulk brandy exported from France to Australia.

This follows a recent Customs inquiry into whether the countervailing duty applying to bulk brandy exports from France should continue. During this inquiry Customs determined that the factors affecting the level of the countervailable duty had changed. The factors being the non-injurious free on board price and the countervailable subsidy amount. Due to legislative constraints Customs was unable to recommend that the countervailing duty be revised at that time.

Following consideration of Customs January 2000 report, the Minister accepted the recommendation to continue the measure for a further five years. However, the countervailing duty remained unchanged from that set in 1995.

In March 2000 Customs accepted an application from the Winemakers Federation of Australia to review the factors affecting the level of the countervailing duty. The application included evidence that one or more of the factors used to calculate the countervailing duty had changed. This was sufficient to initiate a review by Customs.

Customs findings in this review confirm that the factors have changed. Accordingly Customs has recommended to the Minister that the countervailing duty be revised. If accepted by the Minister, this would mean an increase in the minimum export price applicable to bulk brandy exported from France to Australia. At the current exchange rates the level of countervailing duty would remain unchanged.

