



**Australian Government**  
**Productivity Commission**

# Safeguards Inquiry into the Import of Processed Tomato Products

Productivity Commission  
Inquiry Report

No. 68, 12 December 2013

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***The Productivity Commission***

The Productivity Commission is the Australian Government's independent research and advisory body on a range of economic, social and environmental issues affecting the welfare of Australians. Its role, expressed most simply, is to help governments make better policies, in the long term interest of the Australian community.

The Commission's independence is underpinned by an Act of Parliament. Its processes and outputs are open to public scrutiny and are driven by concern for the wellbeing of the community as a whole.

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12 December 2013

The Hon Joe Hockey MP  
Treasurer  
Parliament House  
CANBERRA ACT 2600

Dear Treasurer

In accordance with Section 11 of the *Productivity Commission Act 1998*, we have pleasure in submitting to you the Commission's final report on *Safeguards Inquiry into the Import of Processed Tomato Products*.

Yours sincerely

Handwritten signature of Peter Harris in black ink.

Peter Harris  
Presiding Commissioner

Handwritten signature of Paul Barratt in black ink.

Paul Barratt  
Associate Commissioner



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# Terms of reference

## SAFEGUARDS INQUIRY INTO THE IMPORT OF PROCESSED TOMATO PRODUCTS

### *Productivity Commission Act 1998*

I, David Bradbury, Assistant Treasurer, pursuant to Parts 2 and 3 of the *Productivity Commission Act 1998*, hereby request that the Productivity Commission undertake an inquiry into whether safeguard action is warranted against imports of processed tomato products falling within tariff subheading 2002.10.00.60 of the Australian Customs Tariff.

The inquiry is to be undertaken in accordance with the World Trade Organization (WTO) safeguard investigation procedures published in the *Gazette* of S297 of 25 June 1998, as amended by GN39 of 5 October 2005.

The Commission is to report on:

- whether conditions are such that safeguard measures would be justified under the WTO Agreement;
- if so, what measures would be necessary to prevent or remedy serious injury and to facilitate adjustment; and
- whether, having regard to the Government's requirements for assessing the impact of regulation which affects business, those measures should be implemented.

In undertaking the inquiry, the Commission is to consider and provide an accelerated report on whether critical circumstances exist where delay in applying measures would cause damage which it would be difficult to repair. If such circumstances exist, and pursuant to a preliminary determination that there is clear evidence that increased imports have caused or are threatening to cause serious injury, the Commission is to recommend what provisional safeguard measures (to apply for no more than 200 days) would be appropriate.

The Commission is to provide the accelerated report to the Government as soon as possible but not later than 3 months and a final report within 6 months of receipt of this reference. The reports will be published as soon as practicable.

The Commission is to consult widely, hold hearings and call for submissions for the purpose of the inquiry.

David Bradbury  
Assistant Treasurer

Received 25 June 2013



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# Contents

<b>Terms of reference</b>	<b>v</b>
<b>Overview</b>	<b>1</b>
<b>Findings</b>	<b>15</b>
<b>1 About the inquiry</b>	<b>17</b>
1.1 What the Commission has been asked to do	17
1.2 Background	18
1.3 Inquiry procedures and consultation	21
1.4 What are the requirements for safeguard measures?	24
<b>2 Assessing the case for safeguard measures</b>	<b>27</b>
2.1 Which Australian industry produces like or directly competitive products?	27
2.2 Have imports increased?	31
2.3 Was the increase in imports a result of unforeseen developments?	38
2.4 Is the industry suffering serious injury, or is it threatened?	42
2.5 Have imports caused the injury?	48
<b>A Conduct of the inquiry</b>	<b>63</b>
<b>B Commonwealth Gazettes and GATT Article XIX</b>	<b>67</b>
<b>References</b>	<b>77</b>

