DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4014 OF 2026

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONS

LIST 01/2026

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following application concerning the Customs Tariff. Any objection to or comment on this representation 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 this application 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. OUTCOME OF TARIFF AMENDMENT REVIEW INVESTIGATION

RE: ITAC REPORT NO. 733: REVIEW OF THE CUSTOMS DUTY ON FROZEN MIXED VEGETABLES CLASSIFIABLE UNDER TARIFF SUBHEADING 0710.90 ("THE FROZEN VEGETABLE TARIFF REVIEW")

The International Trade Administration Commission of South Africa ("ITAC" or the "Commission") has completed its review of the customs duty on frozen mixed vegetables, classifiable under tariff subheading 0710.90.

The review followed the previous rejection by the former Minister of Trade, Industry and Competition (the "former Minister") of an application by Nature's Garden (Pty) Ltd to increase the duty from 10% to 37% *ad valorem*.

The former Minister's directive to review the customs duty on frozen mixed vegetables was initiated on 21 July 2023, through a publication notice in the Government Gazette No. 49011, Notice 1922 of 2023. The said Notice called for industry value chain stakeholders to submit comments as well as additional information in the form of an ITAC questionnaire and data template that would enable the Commission to conduct a more detailed analysis of the market, trade, and financial information of the frozen vegetable industry.

In consideration of the former Minister's concerns, research found that from 2016 – 2024, global events like the COVID-19 pandemic and the Ukraine-Russia war caused fluctuations in international food prices. Although prices stabilized slightly in 2023-2024, they remain elevated. Ongoing geopolitical tensions suggest continued price volatility. As such consumers will be constrained by the additional cost implications of a higher duty.

In due consideration of ITAC Report No.733, the Minister of Trade, Industry and Competition (the "Minister") took into account a number of factors, including, the need to support the domestic agro-processing sector, promote localisation, and industrial development, preserve employment opportunities within the agricultural value chain, and maintain an appropriate balance between the interests of consumers and domestic producers.

In addition, the Minister considered the potential impact of the tariff measure on downstream industries and consumers, as well as the importance of ensuring policy certainty to encourage investment, value addition and competitiveness within the local agro-processing sector

However, the Minister acknowledged that circumstances may change in the future, and therefore requested ITAC to continue monitoring import trends, domestic production performance, employment levels, pricing developments, and the competitiveness of the sector to ensure that the tariff measure remains aligned with South Africa's trade and industrial policy objectives.

The Minister further encouraged close cooperation with the dtic and relevant stakeholders to support the development of a comprehensive industry development strategy aimed at strengthening localisation, enhancing export readiness, promoting transformation, and improving long-term competitiveness within the frozen vegetable value chain.

Taking into account all information at his disposal, the Minister approved ITAC's recommendation, as set out in ITAC Report No.733, to maintain the current duty structure on frozen mixed vegetables classifiable under tariff subheading 0710.90. The Commission will continue to monitor import trends of frozen mixed vegetables with a view to review the duty structure, should there be a significant change in the market.

Enquiries may be directed to the investigating officers, Ms Amina Varachia at avarachia@itac.org.za or Ms Khosi Mzinjana at kmzinjana@itac.org.za.

2. THE CREATION OF A TEMPORARY REBATE PROVISION FOR THE IMPORTATION OF:

"Collapsible tubular containers of a capacity not exceeding 300 li, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment, classifiable under tariff heading 7612.10, in such times, in such quantities as subject to such conditions as the International Trade Administration Commission may allow by specific permit."

APPLICANT:
Pharmachem Laboratories (Pty) Ltd
482A Barolong Street
Icon Industrial Park
Sunderland Ridge
Centurion
0157

REASONS FOR THE APPLICATION:

The applicant cited, *inter alia*, the following as motivation for the application:

- Imported collapsible tubular containers attract a 10% *ad valorem* customs duty under tariff subheading 7612.10, which increases the Pharmachem's cost of production and places the company at a competitive disadvantage relative to importers of finished pharmaceutical products;

- There is currently no known domestic manufacturer of collapsible tubular containers and, as such, the customs duty does not serve a protective purpose for a local industry, but rather increases input costs for downstream pharmaceutical manufacturers; and

- The introduction of a rebate facility will address the prevailing duty anomaly, wherein the imported finished pharmaceutical products classifiable under heading 3004.90.99 enter the SACU market free of duty, while the imported packaging input (collapsible tubular containers) used in local manufacture attract a 10% *ad valorem*, thereby undermining the competitiveness of domestic value addition.

Publication Period:

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

Enquiries: **ITAC Ref: 15/2025** to ITAC officials, Ms Nonqubeko Sikhakhana (nsikhakhana@itac.org.za) and Ms Rethabile Molala (rmolala@itac.org.za).