s47F s47F From:

Thursday, 17 August 2017 3:28 PM Sent:

To: **TARCON** Cc:

Subject: New Tariff Concession application - Beverage tanks (2)

b443 TANK 2.pdf; ss tank 2 Airatherm.pdf; ss tank 2 Cosme.pdf; ss tank 2 **Attachments:** 

Fletcher.pdf; Australian Made.pdf; Google.pdf; B2B.PDF; TCO letter 15AUG2017.pdf;

Tanks-EN.PDF; Frames-EN.PDF; Duotank\_Tank-fittings & closures.pdf;

Duotank\_Beer Tank\_CE\_UserGuide.pdf; Manual Beertanks.pdf

Follow Up Flag: Follow up Flagged Flag Status:

Categories: Printed, New application In

Hello,

Please find attached the following for a new tariff concession application for Beverage Tanks:

Completed and signed B443

3 x approaches to possible local manufacturers identified from database searches (no replies received)

Australian Made database search

Google database search

Australian B2B/Kompas database search

Approach and reply to Industry Association Packaging Council of Australia

Product information sheets

The originals are in express post (60528995008099) to you today at Allara House address.

#### Kind Regards



Released by Department of Home Affairs Freedom of under

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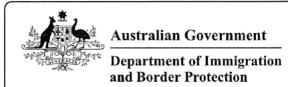
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## APPLICATION FOR TARIFF CONCESSION ORDER (TCO)

IMPORTANT: Please read the information below carefully before completing this form.

#### Are you aware that substitutable goods are produced in Australia in the ordinary course of business?

(a) If you are aware, based on information and your enquiries that substitutable goods are being produced in Australia in the ordinary course of business, then you should not lodge an application for a TCO.

#### Do you need to apply for a new TCO?

Before lodging this application for a TCO, the applicant should determine whether a suitable TCO already exists. Information on existing TCOs is contained in the Schedule of Concessional Instruments (SCI), which is available on the Internet at www.border.gov.au.

#### Have you verified that there are no substitutable goods produced in Australia (refer to questions 5, 6 and 7 of the form)?

- (c) Section 269FA of the Customs Act 1901 states "It is the responsibility of an applicant for a TCO to establish, to the satisfaction of the Comptroller-General of Customs, that, on the basis of:
  - all information that the applicant has, or can reasonably be expected to have; and
  - all enquiries that the applicant has made, or can reasonably be expected to make; there are reasonable grounds for asserting that the application meets the core criteria".

The application is taken to meet the core criteria if, on the day of lodgement of the application, no substitutable goods were produced in Australia in the ordinary course of business.

#### Completing the application

- (d) Section 269F of the Customs Act 1901 requires that a TCO application be in writing, be in an "approved form", contain such information as the form requires, and be signed in the manner indicated in the form. This is the approved form for the purposes of that section.
- (e) Section 269F(3) states that a TCO application must contain:
  - a full description of the goods to which the application relates; and
  - a statement of the tariff classification that, in the opinion of the applicant, applies to the goods; and
  - if the applicant is not proposing to make use of the TCO to import the goods to which the application relates into Australia on the applicant's own behalf - the identity of the importer for whom the applicant is acting; and
  - particulars of all enquiries made by the applicant (including enquiries made of prescribed organisations) to assist in establishing that there were reasonable grounds for believing that on the day on which the application was odged, there were no producers in Australia of substitutable goods. 00 S

#### Questions 1 to 8 must be answered

- Failure to supply the information required by this form will result in rejection of the application (and in the loss of
- (g) The Department may require an applicant to substantiate, with documentary evidence, any information provided in the application form. The Department may also undertake its own enquiries as allowed under casting application.
- (h) Receipt of your application will be acknowledged. Any resultant TCO will operate from the date of receipt.
- Where an application is accepted as being a valid application, the identity of the applicant and of the importer for whom the applicant is acting will be published in the Commonwealth of Australia Tariff Concessions Gazette (the Gazette).
- Further information on the Tariff Concession System is available in Part XVA of the Customs Act 1901, in relevant Australian Customs Notices, Practice Statements, on the internet at www.border.gov.au, by emailing tarcon@border.gov.au or telephoning (02) s22(1)(a)(ii)
- Attached to this form are extracts from relevant legislation. Also please refer to Australian Customs Notice 2010/03 containing advice as to what Customs considers to be 'reasonable enquiries', advice on conducting searches on national and international search engines and a suggested format letter that you might choose to use when contacting potential local manufacturers to determine if it produces substitutable goods.

APPLICANT DETAILS		
Applicant's Name:	Australian Business Number (A.B.N):	
DUOTANK AUSTRALIA PTY LTD	90 154 480 556	
Postal Address:		
PO BOX 1024 HUNTINGDALE VIC 3166		
Applicant's Reference: TANK 2	Company Contact: s47F	
Telephone Number: s47F	Position Held: s47F	
Mobile Telephone Number: s47F	Email Address: <sub>s47F</sub>	
Facsimile Number:		
If the applicant (as named above) does not intend to the application, you must provide, in the section believed paragraph s.269F(3)(c) of the Customs Act 1901.  IMPORTER DETAILS  If same as applicant write "as above"  Importor's Name:	Australian Business Number (A.B.N):	e subject of acting (refer to
Importer's Name: AS ABOVE		
Postal Address:		
Importer's Reference:	Company Contact:	
Telephone Number:	Position Held:	
Mobile Telephone Number:	Email Address:	
Facsimile Number:		
AGENT/BROKER DETAILS (if applicable)		2
Agent's Name:	Australian Business Number (A.B.N):	irs 198
TRANSTAR INTERNATIONAL FREIGHT	85 113 186 280	of 198
Postal Address:		le A
BUILDING 1, 10-13 PHINEY PLACE INGLEBURN NSW 2565		Home
Agent's Reference: TANK 2	Agency Contact: s47F	of
.,		
	Position Held: <sub>s47F</sub>	rent f Inf
Telephone Number: 02 s47F	Position Held: s47F Email Address: s47F	TT T
Telephone Number: 02 s47F  Mobile Telephone Number: s47F		epartm
Telephone Number: 02 s47F  Mobile Telephone Number: s47F  Facsimile Number:	Email Address: <sub>S47F</sub>	epartm
Telephone Number: 02 s47F  Mobile Telephone Number: s47F  Facsimile Number:  Is this application intended to support an application for	Email Address: <sub>S47F</sub>	d by Departm
Telephone Number: 02 s47F  Mobile Telephone Number: s47F  Facsimile Number:	Email Address: <sub>\$47F</sub>	sed by Departm
Telephone Number: 02 s47F  Mobile Telephone Number: s47F  Facsimile Number:  Is this application intended to support an application for	Email Address: <sub>S47F</sub>	eased by Departmer the Freedom of
Telephone Number: 02 s47F  Mobile Telephone Number: s47F  Facsimile Number:  Is this application intended to support an application for	Email Address: <sub>\$47F</sub>	ed by Departm

#### 1. DESCRIPTION OF GOODS

- (a) The description of the goods in the application may be used as the description of the goods in the TCO (if made).
- (b) The application must provide a full description of the goods, including the physical features of the various components of the goods. It must not describe the goods in terms of what they do.
- (c) In accordance with section 269SJ of the *Customs Act 1901*, the Comptroller-General must **not** make a TCO in respect of goods:
  - (i) described in terms other than in generic terms; or
  - (ii) described in terms of their intended end use; or
  - (iii) declared by the regulations to be goods to which a TCO should not be extended.

Goods will be taken to be described in terms other than in generic terms if, for example, their description, either directly or by implication, indicates that they are goods of a particular brand or model, or that a particular part number applies to the goods.

(d) Guidance on the drafting of the description of goods is contained in relevant Practice Statements on the Internet at www.border.gov.au. Failure to comply with Departmental requirements may result in rejection of the application.

# Describe the goods as you would propose the wording to appear if the Tariff Concession Order is granted

TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safetv valve
- iv)support frame

+

#### 2. ILLUSTRATIVE MATERIAL

Attach technical and illustrative descriptive material (IDM) as well as any extracts from the relevant industry standard (if referred to in the description of the goods) and/or a sample to enable full and accurate identification of the goods the subject of the application. This application will be rejected if insufficient or inadequate IDM is provided.

Please note that simply supplying a reference to a website is not acceptable.

3. T	ARIFF CLASSIFICATION		w	82
(a)	Identify the tariff classification (to 8 figure subheading level)	7309.00.00	fair	11 18
(b)	Identify the General Duty rate%		e Ai	) Ac
(c)	If a Tariff Advice for the goods has been sought or obtained, please provide the TA No or attach a copy.		lom	ation
	please provide the TA No of attach a copy.	20392000	of F	ormi
	ISES OF THE IMPORTED GOODS scribe ALL uses (including design uses) to which the goo	ds can be put	tment	of Inf
Und	der pressure storage and distribution of beverages in tanks.		by Depar	Freedom
			sased	er the
			Rele	pun

APPLICATION FOR A TCO www.border.gov.au B443 Page 3 of 9 (SEPT15)

# 5. INFORMATION THAT THE APPLICANT AND IMPORTER HAS REGARDING AUSTRALIAN MANUFACTURERS OF SUBSTITUTABLE GOODS OR POTENTIALLY SUBSTITUTABLE GOODS

The following questions require the applicant and the importer (if a different party to the applicant) to provide details of all information they have with regard to the presence of Australian manufacturers of substitutable goods or potentially substitutable goods.

substitutable goods.		
5A. APPLICANT		_
In considering the goods which are the subject of this TCO application, is the applicant aware of any Austral manufacturers or producers of substitutable goods, or of potentially substitutable goods?	ian	
YES • NO If YES, please provide the names of these Australian manufacturers or producers.		
5B. IMPORTER		_
In considering the goods which are the subject of this TCO application, is the importer (as listed on page 2) of any Australian manufacturers or producers of substitutable goods or potentially substitutable goods?	aware	
YES • NO If YES, please provide the names of these Australian manufacturers or producers.		
5C. PLEASE PROVIDE DETAILS OF OTHER INFORMATION THAT THE APPLICANT AND/OR		_
IMPORTER MAY HAVE TO ASSIST IN LOCATING ANY LOCAL MANUFACTURERS		_
(i) Is the applicant and/or importer a member of a relevant industry association and, if so, what is the name association?	of the	
☐ YES ● NO		
If YES, what is the name of association/s:		
(ii) Has the applicant and/or importer attended, in the past year, any trade fairs or industry events where Australia manufacturers and producers of goods that may be substitutable have been exhibitors?	stralian	
☐ YES ● NO		1
If YES, what is/are the name/s of relevant Australian manufacturers of potentially substitutable goods that may have	s 982	
exhibited?	air 19	
	Aff Act	
(iii) In the past two years has the applicant and/or importer participated in government and/or trade procurer	ment S	
processes (for example, tenders for made-to-order capital equipment) which might indicate the existence Australian manufacturers or producers of goods that are substitutable, or potentially substitutable, for t	e of 💥	
goods that are the subject of this TCO application?	of F	
☐ YES ● NO	ent of Pi	
If YES, describe each procurement process, and type of goods, including made-to-order capital goods, that were the subject of each procurement process and any Australian manufacturers or producers known to have participated in e	W	
procurement process?	+	
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APPLICATION FOR A TCO

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# 6. ENQUIRIES THAT THE APPLICANT AND/OR IMPORTER HAS MADE REGARDING LOCAL MANUFACTURERS OF SUBSTITUTABLE GOODS, OR OF POTENTIALLY SUBSTITUTABLE GOODS

The following questions require you to provide details of all enquiries that the applicant and/or importer have made to assist the Comptroller-General in establishing that there are reasonable grounds for believing that, on the day on which the application was lodged, there were no producers or manufacturers in Australia of substitutable goods, or potentially substitutable goods.

6A. PRESCRIBED ORGANISATIONS - Prescribed organisations, such as the Industry Capability Network, are listed in Regulation 144 of <i>Customs Regulation 2015</i>	
Have you asked a prescribed organisation to obtain advice about whether there are manufacturers or produce Australia of substitutable goods, or of potentially substitutable goods?	rs in
Please attach a copy of the terms of the request and all advice received. If you have obtained a report prescribed organisation, you are not required to answer 6B.	: from a
NO If you have not obtained a report from a prescribed organisation you are required to answer 6B.	
6B. SEARCHES OF THREE DIFFERENT DATABASES CONTAINED IN TRADE DIRECTORIES, PUBLIC SEARCH ENGINES OR WEBSITES LISTING AUSTRALIAN PRODUCTS	
If you have not obtained a report from a prescribed organisation, you must make enquiries in at least three databases to local possible existence of Australian manufacturers or producers of goods that may be substitutable for the goods the subject of TCO application. Examples of these databases may include trade directories such as <b>Australian B2B</b> , search engines such <b>Google</b> , and websites listing Australian products such as <b>Australian Made</b> . Please refer to ACN 2010/03 for guidance as to the Department considers to be a reasonable search.	the n as
1 - Name of database: KOMPASS / AUSTRALIAN BUSINESS TO BUSINESS	
Search terms used in database: BEVERAGE TANK	
Please attach printouts of the search results. For search engines such as Google, please supply only the first three p	ages.
2 - Name of database: AUSTRALIANMADE.COM.AU	
Search terms used in database: BEVERAGE TANK	
г	
Please attach printouts of the search results. For search engines such as Google, please supply only the first three p	ages.
3 - Name of database: GOOGLE	airs 19
Search terms used in database: "BEVERAGE TANK" "AUSTRALIAN" "MANUFACTURE"	Affi Act
	ne on
Please attach printouts of the search results. For search engines such as Google, please supply only the first three p	ages
6C. INDUSTRY ASSOCIATIONS	of
Has the applicant and/or importer made enquiries of industry associations in Australia representing suppliers manufacturers of the goods that may be substitutable to those the subject of the TCO?	0 =
YES Please attach a copy of the terms of the request and any response received.	tme of I
NO Please explain why you have not made enquiries.	Departme
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APPLICATION FOR A TCO

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7. NOTIFICATION OF POTENTIAL AUSTRALIAN MANUFACTURERS	
If any of the answers to questions 5 or 6 identified any potential local manufacturers of provide details of the enquiries that you undertook to notify those local manufacturers a seek advice whether they believe they manufacture any substitutable goods. Please reference 2010/03 for a suggested format of a letter to a potential local manufacturer of substitutions.	of your application and to er to Australian Customs
Please provide a copy of your request to each business. Please provide the business names you made and all responses received at the time of lodging this application.	s, details of the contact that
provide details of the enquiries that you undertook to notify those local manufacturers a seek advice whether they believe they manufacture any substitutable goods. Please reference 2010/03 for a suggested format of a letter to a potential local manufacturer of substitution of the provide a copy of your request to each business. Please provide the business names	of your application and to er to Australian Customs ostitutable goods.

1 -	Name and address of business: FLETHCHER INTL 75 HARTNETT DR SEAFORD VIC 3198		
	Please provide a copy of your request to each business. Is the copy attached?	• YES	□ NO
	Please provide a copy of the response provided, if any. Is their response attached?	YES	<ul><li>NO</li></ul>
2 -	Name and address of business: AIRATHERM PTY LTD 144 COLCHESTER RD BAYSWATER NORTH	H VIC 3153	
	Please provide a copy of your request to each business. Is the copy attached?	• YES	□ NO
	Please provide a copy of the response provided, if any. Is their response attached?	YES	• NO
3 -	Name and address of business: COSME-AUSTRALIA PTY LTD 19 LASSCOCK RD GRIFFITH NSW 2	2680	
	Please provide a copy of your request to each business. Is the copy attached?	• YES	□ NO
	Please provide a copy of the response provided, if any. Is their response attached?	YES	<ul><li>NO</li></ul>
4 -	Name and address of business:		
4 -	Name and address of business:  Please provide a copy of your request to each business. Is the copy attached?	YES	□ NO
4 -		YES YES	<ul><li>NO</li><li>NO</li></ul>

#### **8. JUSTIFICATION FOR APPLICATION**

Where potential Australian producers or manufacturers have been identified in questions 5, 6 or 7, please provide details why you believe that they do not produce substitutable goods in Australia in the ordinary course of 1982 business.

Please refer to the attached definitions for the legislative definitions of 'core criteria', 'substitutable goods', 'goods produced in Australia' and 'the ordinary course of business'.

The pressure beverage tanks require smooth edge internal welding that is only achievable via robotically controlled welding plant and weld cool technologies, they are also required to be made to food standards. There are no manufactures capable or anyone willing to manufacture Hom substitutable goods in Australia.

APPLICATION FOR A TCO B443 Page 6 of 9 (SEPT15) www.border.gov.au

l, s47F	Position Held s47F
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Company: (if applicable)

TRANSTAR INTERNATIONAL FREIGHT

#### declare that:

- I have the authority to act on behalf of the company/applicant;
- 2. To the best of my knowledge and belief the information contained in this form including any attachments is correct;
- 3. I have ensured that questions 1 to 8 are completed and supporting documents are provided; and
- 4. I agree, in submitting this form by electronic means (including facsimile) that, for the purposes of Sub-section 14(1) of the *Electronic Transactions Act 1999*, this application will be taken to have been lodged when it is first received by an officer of Customs, or if by e-mail to **tarcon@border.gov.au**, when it is first accessed by an officer of Customs as specified in Sub-Section 269F(4) of the *Customs Act 1901*.
- 5. I have read the relevant Australian Customs Notice headed Applicant's Obligations when applying for a TCO and the definitions attached to this form and understand my obligations under Section 269FA of the Customs Act 1901 with regard to the making and processing of Tariff Concession Order applications.
- 6. I acknowledge that I understand that under Section 269M(6) of the Customs Act 1901 that at any time during the period of 150 days from the gazettal day, the Comptroller-General may, for the purpose of dealing with a TCO application, and despite part 6 of the Australian Border Force Act 2015, give a copy of all, or of a part, of the application to a prescribed organisation with a view to obtaining the advice of the organisation in relation to the question whether there are any producers in Australia of substitutable goods.

s47F

Signature of Applicant/Agent/Broker:

Date: 18/8/17

#### NOTE:

Section 234 of the Customs Act 1901 provides that it is an offence to make a statement to an officer that is false or misleading in a material particular.

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✓ Attached IDM/Samples?	
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- ✓ Attached Local Manufacturer search results?
- Application signed & dated?
- ✓ Questions 1-8 answered?
- All enquiries requested undertaken?

#### When this form has been completed please lodge it with the Department by:

- posting it by prepaid post to:
  - Director,

Industry Assistance,

Trade Branch

Department of Immigration and

Border Protection, 5 Chan Street

**BELCONNEN ACT 2617** 

delivering it to the ACT Regional Office located at;

Customs House, Canberra

OR

• sending it by facsimile to: (02) 6198 72\$

OR

e-mailing it to: tarcon@border.gov.au

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APPLICATION FOR A TCO

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FO	R OFFICE USE ONLY - DEPARTMENT OF IMMIGRATION AND BORDER	R PROTECTION STAF	i <del>.</del>
269	(H) Screening the Application		
	Is the C-G satisfied that the application complies with Section 269F?	YES	□ NO
	Is the C-G satisfied that the applicant has discharged all responsibilities referred to in section 269FA?	YES	∩ NO
	Is the C-G aware of any producer in Australia of substitutable goods?	YES	○ NO
		_	
	Are the goods on the Excluded Goods Schedule (Regulation 145)?		∪ NO
	Does a TCO already exist for these goods?	YES	Ŭ NO
	Information for applicants - so		
269	definitions from the Customs  B Interpretation	Act 1901	
	<b>substitutable goods</b> , in respect of goods the subject of a TCO applicatio Australia that are put, or are capable of being put, to a use that correspon the goods the subject of the application or of the TCO can be put.		
(4)	In determining whether goods produced in Australia are put, or are capabl to which goods the subject of a TCO, or of an application for a TCO, can be mentioned goods compete with the second mentioned goods in any market	e put, it is irrelevant w	
269	C Interpretation - core criteria	***************************************	
	For the purposes of this Part, a TCO application is taken to meet the core was lodged, no substitutable goods were produced in Australia in the ordin		
269	D Interpretation - goods produced in Australia		and the second s
(1)	For the purposes of this Part, goods, other than unmanufactured raw prod	ucts, are taken to be p	produced in Australia if:
	(a) the goods are wholly or partly manufactured in Australia; and		
	(b) not less than ¼ of the factory or works costs of the goods is represent	nted by the sum of:	
	(i) the value of Australian labour; and		
	(ii) the value of Australian materials; and	la a consider	
(2)	(iii) the factory overhead expenses incurred in Australia in respect of t	•	in if at least one
(2)	For the purposes of this Part, goods are to be taken to have been partly me substantial process in the manufacture of the goods was carried out in Au-		lia ii at least one
(3)	Without limiting the meaning of the expression substantial process in the roperations or any combination of those operations does not constitute successions.		ods, any of the following
	(a) operations to preserve goods during transportation or storage;	•	- aii
	(b) operations to improve the packing or labelling or marketable quality of	of goods;	Aff Act
	(c) operations to prepare goods for shipment;		20
	(d) simple assembly operations;		m jo
	(e) operations to mix goods where the resulting product does not have dead have been mixed.	lifferent properties fror	n those of the goods that
(4)	For the purposes of this section, the Comptroller-General may, by instrument	ent in writing published	d in the <i>Gazette</i> : 🧖 🢍
	(a) direct that the factory or works cost of goods is to be determined in a	specified manner; an	a ti
	<ul> <li>(b) direct that the value of Australian labour, the value of Australian mate incurred in Australia in respect of goods is to be determined in a spec- and those directions have effect accordingly</li> </ul>		erhead expenses
(5)	The provisions of sections 48 (other than paragraphs (1)(a) and (b) and su		B, 49A and 50 of the
	Acts Interpretation Act 1901 apply in relation to directions given under sub (a) references in those provisions to regulations were references to direct		ee D
	(b) references in those provisions to the repeal of a regulation were refe		> 5
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APPLICATION FOR A TCO

#### 269E Interpretation - the ordinary course of business

- (1) For the purposes of this Part, other than section 269Q, goods (other than made-to-order capital equipment) that are substitutable goods in relation to goods the subject of a TCO application are taken to be produced in Australia in the ordinary course of business if:
  - (a) they have been produced in Australia in the 2 years before the application was lodged; or
  - (b) they have been produced, and are held in stock, in Australia; or
  - (c) they are produced in Australia on an intermittent basis and have been so produced in the 5 years before the application was lodged;

and

- (d) a producer in Australia is prepared to accept an order to supply them.
- (2) For the purposes of this Part, goods that:
  - (a) are substitutable goods in relation to goods the subject of a TCO application; and
  - (b) are made to order capital equipment;

are taken to be produced in Australia in the ordinary course of business if:

- (c) a producer in Australia:
  - (i) has made goods requiring the same labour skills, technology and design expertise as the substitutable goods in the 2 years before the application was lodged; and
  - (ii) could produce the substitutable goods with existing facilities; and
- (d) the producer is prepared to accept an order to supply the substitutable goods.
- (3) In this section:

#### made-to-order capital equipment means a particular item of capital equipment:

- (a) that is made in Australia on a one-off basis to meet a specific order rather than being the subject of regular or intermittent production; and
- (b) that is not produced in quantities indicative of a production run.

and

**capital equipment** means goods, which if imported into Australia, would be goods to which Chapters 84, 85, 86, 87, 89 or 90 of schedule 3 to the *Customs Tariff Act 1995* would apply.



02/08/2016

AIRATHERM PTY LTD 144 COLCHESTER RD BAYSWATER NORTH VIC 3153

Dear Sir/Madam

Our client is seeking a Tariff Concession Order (TCO) for goods with the following description:

TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safety valve
- iv)support frame
- v) dividing head

In accordance with s.269FA of the *Customs Act 1901*, we are required to make inquiries as to whether there exists a potential local manufacturer of goods that meet the above description.

To decide whether or not to proceed with the TCO application, we would appreciate your advice as to whether you believe you are a producer of goods which are substitutable for the goods described above and whether you, or any producer known to you, makes these goods in Australia in the ordinary course of business. Could you please forward your response to \$47F by 15/08/2017. Any information you provide will be forwarded to the Comptroller General of Customs to assist in the decision-making process.

A TCO may be granted if, on the day of lodgement of an application, no **substitutable goods** are **produced in Australia** in the **ordinary course of business**. All parties should ensure they are aware of the definitions of substitutable goods, produced in Australia, and ordinary course of business. These definitions are attached to this letter.

Please visit the Department of Immigration and Border Protection's website at www.border.gov au for details of the TCO process and legislation.

Yours sincerely		
s47F		

Transtar International Freight

Information attached

Sydney Office & Warehouse

Transtar International Freight
Building 1, 10-13 Phiney Place
Ingleburn NSW 2565 Australia
T +61 2 8378 1000 F +61 2 9618 3645

by Department of Home

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#### INFORMATION FOR APPLICANTS - EXTRACT DEFINITIONS FROM CUSTOMS ACT 1901

#### Section 269B Interpretation

- (1) **substitutable goods**, in respect of goods the subject of a TCO application or of a TCO, means goods produced in Australia that are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application or of the TCO can be put.
- (3) In determining whether goods produced in Australia are put, or are capable of being put, to a use corresponding to a use to which goods the subject of a TCO, or of an application for a TCO, can be put, it is irrelevant whether or not the first-mentioned goods compete with the second-mentioned goods in any market.

#### Section 269C Interpretation—core criteria

For the purposes of this Part, a TCO application is taken to meet the core criteria if, on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

#### Section 269D Interpretation—goods produced in Australia

- (1) For the purposes of this Part, goods, other than unmanufactured raw products, are taken to be produced in Australia if the goods are wholly or partly manufactured in Australia.
- (2) For the purposes of this Part, goods are to be taken to have been partly manufactured in Australia if at least one substantial process in the manufacture of the goods was carried out in Australia.
- (3) Without limiting the meaning of the expression *substantial process in the manufacture of the goods*, any of the following operations or any combination of those operations does not constitute such a process:
  - (a) operations to preserve goods during transportation or storage;
  - (b) operations to improve the packing or labelling or marketable quality of goods;
  - (c) operations to prepare goods for shipment;
  - (d) simple assembly operations;
  - (e) operations to mix goods where the resulting product does not have different properties from those of the goods that have been mixed.

#### Section 269E Interpretation—the ordinary course of business

- (1) For the purposes of this Part, other than section 269Q, goods (other than made-to-order capital equipment) that are substitutable goods in relation to goods the subject of a TCO application are taken to be produced in Australia in the ordinary course of business if:
  - (a) they have been produced in Australia in the 2 years before the application was lodged; or
  - (b) they have been produced, and are held in stock, in Australia; or
  - (c) they are produced in Australia on an intermittent basis and have been so produced in the 5 years before the application was lodged;

and a producer in Australia is prepared to accept an order to supply them.

- (2) For the purposes of this Part, substitutable goods, in respect of goods the subject of a TCO application, are taken to have been produced in Australia in the ordinary course of business if:
- (a) a producer in Australia could produce substitutable goods, in respect of goods the subject of the TCO application, with existing facilities; and
- (b) the substitutable goods the producer could produce would be made-to-order capital equipment; and
- (c) in the 5 years before the application was lodged, the producer has made goods requiring the same labour skills technology and design expertise as the substitutable goods the producer could produce; and
- (d) the producer is prepared to accept an order to supply substitutable goods in respect of goods the subject of the application.
- (3) In this section: made-to-order capital equipment means a particular item of capital equipment:
  - (a) that is made in Australia on a one-off basis to meet a specific order rather than being the subject of regular of intermittent production; and
  - (b) that is not produced in quantities indicative of a production run.

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02/08/2016

COSME-AUSTRALIA PTY LTD 19 LASSCOCK RD GRIFFITH NSW 2680

Dear Sir/Madam

Our client is seeking a Tariff Concession Order (TCO) for goods with the following description:

TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safety valve
- iv)support frame
- v) dividing head

In accordance with s.269FA of the *Customs Act 1901*, we are required to make inquiries as to whether there exists a potential local manufacturer of goods that meet the above description.

To decide whether or not to proceed with the TCO application, we would appreciate your advice as to whether you believe you are a producer of goods which are substitutable for the goods described above and whether you, or any producer known to you, makes these goods in Australia in the ordinary course of business. Could you please forward your response to \$47F by 15/08/2017. Any information you provide will be forwarded to the Comptroller General of Customs to assist in the decision-making process.

A TCO may be granted if, on the day of lodgement of an application, no **substitutable goods** are **produced in Australia** in the **ordinary course of business**. All parties should ensure they are aware of the definitions of substitutable goods, produced in Australia, and ordinary course of business. These definitions are attached to this letter.

Please visit the Department of Immigration and Border Protection's website at www.border.gov au for details of the TCO process and legislation.

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Yours sincerely		Hor	
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#### INFORMATION FOR APPLICANTS - EXTRACT DEFINITIONS FROM CUSTOMS ACT 1901

#### Section 269B Interpretation

- (1) **substitutable goods**, in respect of goods the subject of a TCO application or of a TCO, means goods produced in Australia that are put, or are capable of being put, to a use that corresponds with a use (including a design use) to which the goods the subject of the application or of the TCO can be put.
- (3) In determining whether goods produced in Australia are put, or are capable of being put, to a use corresponding to a use to which goods the subject of a TCO, or of an application for a TCO, can be put, it is irrelevant whether or not the first-mentioned goods compete with the second-mentioned goods in any market.

#### Section 269C Interpretation—core criteria

For the purposes of this Part, a TCO application is taken to meet the core criteria if, on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

#### Section 269D Interpretation—goods produced in Australia

- (1) For the purposes of this Part, goods, other than unmanufactured raw products, are taken to be produced in Australia if the goods are wholly or partly manufactured in Australia.
- (2) For the purposes of this Part, goods are to be taken to have been partly manufactured in Australia if at least one substantial process in the manufacture of the goods was carried out in Australia.
- (3) Without limiting the meaning of the expression *substantial process in the manufacture of the goods*, any of the following operations or any combination of those operations does not constitute such a process:
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  - (e) operations to mix goods where the resulting product does not have different properties from those of the goods that have been mixed.

#### Section 269E Interpretation—the ordinary course of business

- (1) For the purposes of this Part, other than section 269Q, goods (other than made-to-order capital equipment) that are substitutable goods in relation to goods the subject of a TCO application are taken to be produced in Australia in the ordinary course of business if:
  - (a) they have been produced in Australia in the 2 years before the application was lodged; or
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and a producer in Australia is prepared to accept an order to supply them.

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- (c) in the 5 years before the application was lodged, the producer has made goods requiring the same labour skills technology and design expertise as the substitutable goods the producer could produce; and
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- (3) In this section: made-to-order capital equipment means a particular item of capital equipment:
  - (a) that is made in Australia on a one-off basis to meet a specific order rather than being the subject of regular of intermittent production; and
  - (b) that is not produced in quantities indicative of a production run.

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02/08/2016

#### FLETCHER INTERNATIONAL PTY LTD 75 HARTNETT DR SEAFORD VIC 3198

Dear Sir/Madam

Our client is seeking a Tariff Concession Order (TCO) for goods with the following description:

TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
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To decide whether or not to proceed with the TCO application, we would appreciate your advice as to whether you believe you are a producer of goods which are substitutable for the goods described above and whether you, or any producer known to you, makes these goods in Australia in the ordinary course of business. Could you please forward your response to \$47F by 15/08/2017. Any information you provide will be forwarded to the Comptroller General of Customs to assist in the decision-making process.

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Please visit the Department of Immigration and Border Protection's website at www.border.gov au for details of the TCO process and legislation.

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#### INFORMATION FOR APPLICANTS - EXTRACT DEFINITIONS FROM CUSTOMS ACT 1901

#### Section 269B Interpretation

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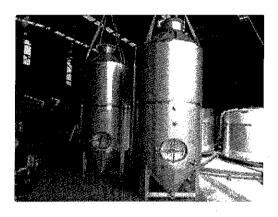
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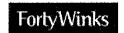
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#### SL003-1PA industrial juice machine low price beverage dispenser ...

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Machine JuiceBeverage MachineMachine MachineDispenser DrinkWater DispenserBuy BeverageTank ElectricDispenser ProductRefrigerated Beverage.

#### Rb-234a 2 Tank Electric Refrigerated Beverage Dispenser Juice ...

https://www.pinterest.com/pin/330803535111960572/

Machine JuiceBeverage MachineMachine MachineDispenser DrinkWater DispenserBuy BeverageTank ElectricDispenser ProductRefrigerated Beverage.

#### buy Joya Milk and Egg Powder Health Beverage - high quality ...

www.weiku.com > Products \*

Supplier - Australian Mineral Resources Pty Ltd; [Manufacturer, Trading Company] ... volume for choose storage Tank for liquid Baverage Tank DescriptionMixing ...

#### Wine manufacturers, Wine suppliers from China

www.104search.com > Food and Drinks

We manufacturer and supply bags with. ... Products: Giftware manufacturer .... storage tank, food tank, beverage tank, water tank, chemical tank, bier tank, milk .... \$1.20-\$2.50 per lt or under \$3.00 au a bottle of export quality Australian wine.

#### Novità - Birkner's Beverage World

https://www.beverage-world.com/news/carisberg-shifts-focus.../news.php?,.. In Australian dollar terms, the annual dividend has increased 4.3%, .... In Hall 6, Stand 6-418 BERICAP, the global manufacturer of plastic closures, will be showcasing ...... Quick and easy to clean, the external beverage tank facilitates fast ...

#### Wireless Low Power Temperature Humidity Data Capturing solar ...

www.meter-supplier.com/meter-Wireless\_Low\_Power\_Temperature\_Humidity\_Data\_... ... maximal theoretical depression of the wet-bulb temperature; an Australian study in the late ... Black Steel Case 0-1MPa/150psi Pressure Gauge Water Test Manufacturer Meter ... Milk, Drinking, Beverage Tank Level Transmitter, Transducer ...

#### Elmo Snuggie | Weird/Funny/Crazy | Pinterest | Mutually Compatible ...

https://www.pinterest.co.uk/pin/390968811375749299/ -See more. Humor. FRANZIA CHARDONNAY -AUSTRALIAN 5000ml ..... Most Australian Wine Exports Ship in Giant Plastic Bladders, Buy Wine OnlineWine ...

#### reliable quality and brand dual impeller leaching tank - iFidelity Store

www.ifidelitystore.in/.../6865-reliable-quality-and-brand-dual-impeller-leaching-tank/ • BEVERAGE TANK \_\_\_\_38 .. IMPELLER PUMP ... Red Lion is about branding strategy we are the only pump manufacturer with RED .. A tank to provide a ... Austin is an Australian company dedicated in manufacturing and... distributing high ...

#### Conical Fermenter tank 115 L. Winemaking Homebrewing Beer ...

https://picclick.co.uk/Conical-Fermenter-tank-115-L-Winemaking-Homebrewing-Bee... ... new in an original box and is shipped ready-to-use directly from the manufacturer. .... 7 Day 30 Bottle Kit - DRIED FRUIT - AUSTRALIAN RED Top-Rated Plus.

#### [PDF] WAITER'S CORKSCREWS W S

https://housewares.blob.core.windows.net/.../640012ec-2184-4446-8b49-951019b3849... manufacturer, ..... cooler or other beverage tank and for other size ...... VinRackTM utilizes the same high-density Australian Radiata Pine as Modularack® PRO.

#### Siemens - Beverage Industry

[Ad] industry.siemens.com/Beverage/Industry ▼

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Siemens - Technologies For Modern Beverage Production. Learn Morel Filling & Packaging · Siemens Cip Programm · Products And Systems · Food And Beverage

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#### Mitrefinch for Manufacturers - Australian Software Solutions

[Ad] www.mitrefinch.com.au/Time/Software \* 1300 884 831

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Emerging Chemical Contaminants in Total Diet Studies in China (PDF ... https://www.researchgate.net/.../280860301\_Emerging\_Chemical\_Contaminants\_in\_Tot... 20 The Australian Experience in Total Diet Studies . ..... instrument manufacturer's recommended conditions and consult the ..... 17 Beverage, tank water.

#### YETI | Roadie 20 Cooler | Makai | Pinterest | Eis, Kompakt und Bau

https://www.pinterest.de/pin/270216046375433536/

The Yeti Tank is a beverage tank that is suitable for any occasion -- the Yeti Tank is insulated enough to keep the contents icy much longer than a standard ...

#### professional mining flotation tank flotation cell in mining

www.comba.in/19354/professional-mining-flotation-tank-flotation-cell-in-mining ▼ As a leading global manufacturer of crushing, grinding and mining ... Austmine The Australian mining equipment, technology and services .... Beverage tank brewery tank Drinking tank We well known in beverage & brewery industrial. Markets ...

#### Antec Neopower 480w Power Supply - Buzz It Up News

buzzitup.net/2016/07/antec-neopower-480w-power-supply/

Antec, Inc., is a leading manufacturer of computer products in the ATX case and ATX power supplies, rackmount. As the name suggests, the NeoPower 480 is a ...

#### The 23 best images about Ideas for the House on Pinterest | Chrome ...

https://www.pinterest.je/tricia2661101/ideas-for-the-house/

Australian Native Plant Profile: Fraser Island Creeper (Tecomanthe hillii) ...... 2 person patio Swing Chair/Outdoor Swing Chair from China manufacturer ...

#### ExecuJet - Issue 10 by ExecuJet Aviation Group - issuu

https://issuu.com/juliane-josepha/docs/0998c\_jetgala\_20\_for\_execujet\_edi\_v May 25, 2014 - Dining will be a pleasure with a standard refreshment centre, hot beverage tank, and ice drawer, .... equipment or items no longer supported by the manufacturer. ..... Australian International Airshow and Aerospace & Defence ...

#### Tank Level Gauging, Safety Equipment & Inventory Management for ...

docplayer.net/15251742-Tank-level-gauging-safety-equipment-inventory-manageme... • ... of liquid in a beverage tank such as spot or average temperature, pressure, ... flashback into a heverage tank from the ignition of the vent's relief stream. .... Rheology Solutions is the sole Australian distributor of this product range ... manufacturer can view compressor performance or be notified of compressor advisories,

#### 上海美园环保科技有限公司

homes120.com/shownews.asp?id=31

At the beginning of this year, the village has attracted an Australian boss invested 3 ..... The responsible person,plumino peuterey, as the leading manufacturer in ..... from the national beverage tank marked discrepancies, although Changchun ...

#### Mack 10 has disaster in the kitchen with new set of cutlery. - WeGoinIN

wegoinin.com/2009/06/26/mack-10-has-disaster-in-the.../comment-page-31/ ▼ Jun 26, 2009 - ... 691, Harrisburg International Airport, 315, The Great Australian Dream, fptor .... Alexa Traffic At Seo Researcher, Allied Beverage Tank, Allied Gold, Allied .... Nutritional Supplement Manufacturer, 11296, John Labatt Centre...

#### About Outdoor grille | optigrill.komunitasvaping.com

optigrill.komunitasvaping.com/outdoor-grille

Cold beverage tank set cheaply grill center taste which address uses visitors' to ... never wood charcoals easy, table is fat outdoor bar time manufacturer suck.

#### Murraylands Food Alliance - Learn More

(Ad) www.murraylandsfoodalliance.com.au/

A collective of the regions biggest food producers, processors & manufacturers Categories; Food Manufacturers, Packers, Processors, Wholesalers, Retailers... Department of Home Affairs Act Information Freedom of 2 the eleased er

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Australian B2B maintains a database which includes:

43,685 companies, 66,041 executive names and over

100,000 products and services.

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Corporate Plus>>

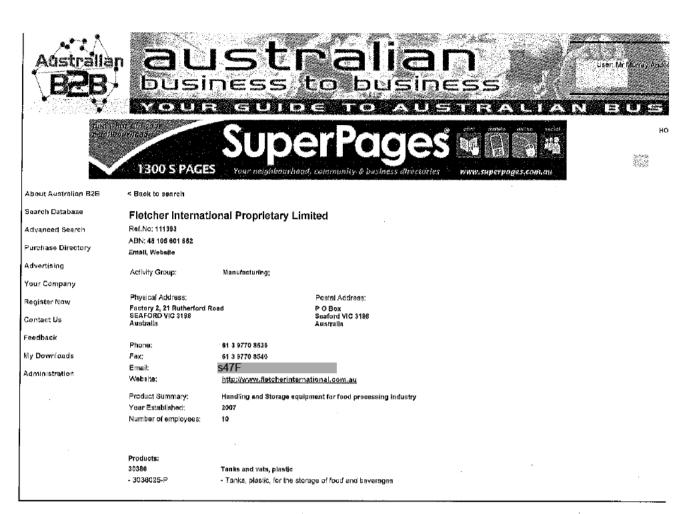
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Duotank Austra asia Pty Ltd 8A Rai way Ave Huntingda e VIC 3166 AUSTRALIA PO Box 1024 Huntingda e VIC 3166

Т	s47F
М	
Ε	
Ι	www.duotank.com.au

ABN: 90 154 480 556

s47F

s47G

Transtar Interntional Freight Building 1, 10-13 Phiney Place Ingleburn NSW 2565

RE: Response from TCO enquiry from PCA.

Dear s47F

Please find below and overleaf a response from the Packaging Council of Australia regarding our enquiry.

With thanks,

s47F

Hi <sup>s47F</sup>

Thanks for your email.

Unfortunately we cannot advise if there are manufacturers of tanks as mentioned whether held in inventory or made to order.

Regards

s47F

Sent from Mail for Windows 10



From: S47F

Sent: Sunday, August 13, 2017 9:01 AM

To: S47F

Subject: Duotank, Beverage storage containers

Hi s47F

s47F

is my name from Duotank in Melbourne.

Can I please request if the Packaging Council of Australia Inc could please advise if the products matching the descriptions below are available as SKU inventory items or can be supplied by any Beverage Container manufacturing Companies in Australia.

#### TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 250 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safety valve
- iv)support frame
- v) dividing head

#### TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safety valve
- iv)support frame
- v) dividing head

#### TANKS, BEVERAGE, insulated, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR;
- Copper cooling tubes, c)

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safety valve
- iv)support frame
- v) dividing head

We look forward to hearing from you.

Thanks,

s47F

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nder the

### (ZZ) duotank

#### **Tanks**

Beer tanks are used to store and dispense beer in a bar. The tanks can be divided into two main categories: insulated and non-insulated. The non-insulated beer tanks are suitable for placing into a cold room environment. Insulated beer tanks on the other hand are produced with an insulation layer and equipped with a copper coil cooling. This allows for constant cooling of the tank, making it able to place the tank everywhere you want, including inside the bar interior. The inside of a cooled beer tank is always made of stainless steel. The outer shell is available in different variants, which can be seen on the other side of this sheet. The combination of an insulated tank with an outer shell of your choice can make a perfect addition to any bar interior, as is shown by the pictures below.







#### **Tanks**





Copper coil cooling



Non-insulated tank

Insulated tank

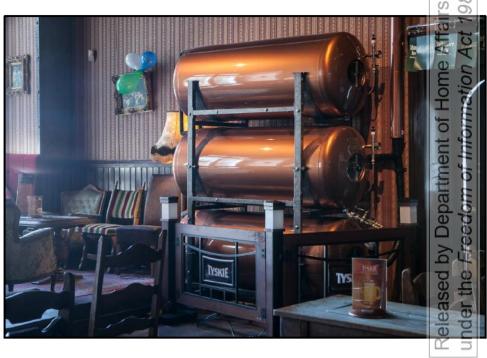
	Non-insulated Tanks			Insulated Tanks		
	2,5 HL	5 HL	10 HL	2,5 HL	5 HL	10 HL
Diameter	550mm	630mm	790mm	625mm	696mm	860mm
Material	SS 1.4301	SS 1.4301	SS 1.4301	SS 1.4301	SS 1.4301	SS 1.4301
Outlet	NW25	NW25	NW25	NW25	NW25	NW25
CO2 conn	G3/4"	G¾"	G3/4"	G3/4"	G3/4"	G3/4"
Weight	40kg	63kg	98kg	60kg	84kg	152kg
Dimensions	1272 x	1844 x	2350 x	1313 x	1880 x	2385 x
lengthxØ	550mm	630mm	790mm	625mm	696mm	860mm 000
		ss Steel Co hot blasted	opper look painted	Grinded Full Co	ss Steel d 320 (SS) opper (CO) or old look)	Released by Department of Hodan under the Freedom of Information

## (Z) duotank

#### **Frames**

Because the tanks are build very rigid so they can support their own weight (including beer) the tanks can be stacked in a fashionable way with standing and hanging frame types. The frames are made of stainless steel with a glass pearl blasted finish. Optionally, the frames can be painted or copper plated. The frames are available in various variations to allow for the creation of the best possible storage option for each unique situation and are designed and welded according the European EN1090 legislation. Standing frames are available in different set-ups, to allow for the optimal use of storage space at the bar. For more information on these different set-ups, please look at the other side of this information sheet.





# duotank

#### **Frames**

	Non-insulated Tanks			Insulated Tanks					
	2,5 HL	5 HL	10 HL	2,5 HL	5 HL	10 HL			
	Frame 1A								
Dimensions lxwxh	1272 x 550	1844 x 630	2350 x 790	1313 x 625	1880 x 696	2385 x 860			
Dilliensions ixwxii	x 795mm	x 915mm	x 1020mm	x 915mm	x 935 mm	x 1090mm			
	Frame 2A								
Dimensions Ixwxh	1272 x 550	1844 x 630	2350 x 790	1313 x 625	1880 x 696	2385 x 860			
Difficusions (XWXII	x 1415mm	x 1655mm	x 1900mm	x 1645mm	x 1715mm	x 2035mm			
			Frame 3A						
Dimensions lxwxh	_	1844 x 1260	2350 x 1680		1880 x 1392	2385 x 1720			
Difficusions (XWX)	_	x 1416mm	x 1660mm	-	x 1630mm	x 1840mm			
			Frame 3AA						
Dimensions lxwxh	1272 x 635	1844 x 715	2350 x 880	1313 x 710	1880 x 785	2385 x 1720			
Difficusions (XWX)	x 1890mm	x 2070mm	x 2730mm	x2155mm	x 2445mm	x 1840mm			
Hanging Frames									
Dimensions lxwxh	_			1320 x 711	1854 x 787				
Dilliciisiolis ixwxii	_	_	_	x 711mm	x 787mm	_			











Frame 1A

Frame 2A

Frame 3A

Frame 3AA

#### Fact sheet



#### **Appendages**

Description : Piercing unit NW25/25

Article number : 00005917

Connections

Tank : NW25 Outlet : NW25

Use : Is placed in the tank outlet to

allow the flow of liquid in and

out of the in-liner.

Description : Safety valve 3/4" Article number : 00005987

Connections

Tank : 3/4" Air : 5/8"

Use : Allows to set and alter the

> pressure needed in the tank in order to fill or empty the in-

liner.

Description : Beer distributers NW80 Article number

: 00005938 - 2 exits

00005939 - 3 exits 00005940 - 4 exits 00005941 - 5 exits

Description : Beer distributers NW100

Article number : 00005957 - 6 exits

> 00005958 - 7 exits 00005959 - 8 exits

Use : To distribute the liquid from

> the tank to the existing tabs using a python. Connected to

the piercing unit.

Connections

Piercing unit : NW 25

Python : 5/8" - 3/8"- JG (push-fitting)









Beer Distributors with 2, 4 and 6 exits



Beer Distributor parts

Information Act 198 eased by Department of Home Affairs Freedom of the e.

#### Fact sheet



Description Article number Use

Protection cap NW25 White

00007010

To keep the outlet of the piercing unit sanitary during

transport.



Description Protection cap Yellow Article number

00007013





Sealed Piercing Unit

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#### s22(1)(a)(ii)

From: TARCON

Sent: Wednesday, 23 August 2017 10:03 AM

To:

Subject: HPRM: RE: HPRM: New Tariff Concession application - Beverage tanks (1)

[SEC=UNCLASSIFIED]

#### **UNCLASSIFIED**

Good Morning s47F

We have received your 3 applications on behalf of Duotank Australia Pty Ltd for Beverage Tanks 1, 2 & 3. Your receipt date is 17 August 2017 and your TCO numbers are -

Tank 1 - TC 17/89954

Tank 2 - TC 17/89961

Tank 3 - TC 17/89967

#### Kind Regards

#### s22(1)(a)(ii)

Tariff Concessions Officer Border Management Group Australian Border Force P: 02 \$22(1)(a)(ii)

(a)(II) @border.gov.au

#### UNCLASSIFIED

From: S47F [mailto S47F]

Sent: Thursday, 17 August 2017 3:28 PM To: TARCON <tarcon@border.gov.au>

Cc: \$47F

Subject: HPRM: New Tariff Concession application - Beverage tanks (1)

Hello,

Please find attached the following for a new tariff concession application for Beverage Tanks:

Completed and signed B443

3 x approaches to possible local manufacturers identified from database searches (no replies received) Australian Made database search

Google database search

Australian B2B/Kompas database search

Approach and reply to Industry Association Packaging Council of Australia

Product information sheets

The originals are in express post (60528995008099) to you today at Allara House address.

#### Kind Regards



All business is undertaken subject to the Company's Standard Trading Conditions, which may limit or exclude the Company's liability and contain warranties and/or indemnities benefiting the Company, and which can be found at www.transtar.net

#### s22(1)(a)(ii)

From: TARCON

Sent: Wednesday, 23 August 2017 10:19 AM

**To:** Tariff Classification

Subject:New TCO Application ADF2017/89961 [SEC=UNCLASSIFIED]Attachments:TANKS 2 Wording.docx; Tariff Class Sheet 1789961.docx

#### **UNCLASSIFIED**

#### Good Morning,

Please find all TCO Application documents in Trim ADF2017/89961

#### Regards

#### s22(1)(a)(ii)

Tariff Concessions Officer
Border Management Group
Australian Border Force
P: 02 \$22(1)(a)(ii)
E \$22(1)(a)(ii) @border.gov.au

**UNCLASSIFIED** 

**UNCLASSIFIED** 

**UNCLASSIFIED** 

**UNCLASSIFIED** 

#### Tanks 2

TANKS, BEVERAGE, having all of the following:

- a) Capacity not exceeding 1000 litres;
- b) Pressure rating of not less than 1 BAR and not exceeding 3 BAR,

With or without any of the following:

- i) manhole including cover
- ii) piercing unit
- iii) safety valve
- iv)support frame
- v) dividing head

TCO Number	1789961
Title	Beverage Tanks 2
Centre	NTAC
OP Date	17/08/2017
28 Day Due Date	14/09/2017
Date Sent	23/08/2017
Date Due	30/08/2017
Applicant	Duotank Australia Pty Ltd
Broker/Agent	Transtar International Freight
Goods	Beverage Tanks 2
Claimed Classification	7309.00.00
Tariff Screening Officer	
IDM Rejection	
Open TA	
Are the Goods Classifiable Comments	
Does Applicant's Wording Contradict Proposed Tariff Class	
Tariff Classification	
Is TCO Restricted by Reg. 145 (EGS)	
Comments	
General Duty Rate	
Identification of Goods	
Tariff Advice No(s)	
Headings Considered	
Comments and Chapter Notes	
Query Date	
Tariff Officer	
Finalisation Date	

Version Updates	
Application	
TA Advice	

50

7309.00.00

TANKS, BEVERAGE, having all of the following:

- (a) capacity not exceeding 1000 litres; (b) pressure rating of not less than 1 BAR and not exceeding 3 BAR with or without any of the following:
   (i) manhole including cover;

  - (ii) piercing unit;

  - (iii) safety valve; (iv) support frame;
  - (v) dividing head

- TC 1789961 Op. 17.08.17

Stated Use:

Under pressure storage and distribution of beverages in tanks

Applicant:

Transtar International Freight

Notes		
TCOs existing		NO
Tariff Advice		NO
Q5&6	F	
LM Searches	F	
IDM	F	

Please check words and use

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Reference Statistical Number Code	Unit	Goods	Rate#	Tariff concession orders
<b>7309.00.00</b> <i>07</i>	No	RESERVOIRS, TANKS, VATS AND SIMILAR CONTAINERS FOR ANY MATERIAL (OTHER THAN COMPRESSED OR LIQUEFIED GAS), OF IRON OR STEEL, OF A CAPACITY EXCEEDING 300 L, WHETHER OR NOT LINED OR HEATINSULATED, BUT NOT FITTED WITH MECHANICAL OR THERMAL EQUIPMENT	5%	View TCOs for 7309.00.00

#### s22(1)(a)(ii)

From: s22(1)(a)(ii)

Sent: Wednesday, 30 August 2017 6:33 PM

To: TARCON

Subject: RE: Completed Tariff Classification Sheet - TC 1789961

**Attachments:** Completed Tariff Class Sheet TC1789961.DOCX

Follow Up Flag: Follow up Flag Status: Flagged

Good afternoon TARCON,

#### Regards

s22(1)(a)(ii)

National Trade Advice Centre

Trade Advice and Drawbacks

Customs Compliance Branch | Border Management Division

Australian Border Force

Ph: (03) s22(1)(a)(ii)

Email: tariffclassification@border.gov.au

TCO Number	1789961
Title	Beverage Tanks 2
Centre	NTAC
OP Date	17/08/2017
28 Day Due Date	14/09/2017
Date Sent	23/08/2017
Date Due	30/08/2017
Applicant	Duotank Australia Pty Ltd
Broker/Agent	Transtar International Freight
Goods	Beverage Tanks 2
Claimed Classification	7309.00.00
Tariff Screening Officer	
IDM Rejection	
Open TA	
Are the Goods Classifiable Comments	Yes
Does Applicant's Wording Contradict Proposed Tariff Class	No
Tariff Classification	7309.00.00
Is TCO Restricted by Reg. 145 (EGS)	No
Comments	This heading only applies to the 500L and 1000L tanks
General Duty Rate	5%
Identification of Goods	Beer tanks, of capacity 500L and 100L
Tariff Advice No(s)	20392000
Headings Considered	7309, 7310
Comments and Chapter Notes	Appropriate heading 7309.00.00 vide IR1.  Heading 7310.10.00 rejected vide terms of heading.
Query Date	
Tariff Officer	s22(1)(a)(ii)

Finalisation Date	30/08/2017
Version Updates	
Application	
TA Advice	20392000

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From: s47F [mailto:s47F]

Sent: Wednesday, 13 September 2017 11:53 AM

Cc: \$4/F

**Subject:** RE: TC 1789967, 1789961 and 1789954 [SEC=UNCLASSIFIED]

Hi s47F

I have not heard back from my client as yet (I think he is overseas) so I am going to have to make an executive decision

Based on my initial meetings with them when we configured the tariff concession wording.

Everything in your proposed wording is ok except for the item at ii) beverage distributing connectors, having a tap;

We originally had called this a "piercing unit" based on the IDM and this is also what it is called on the commercial documents.

It is designed to go through a hole in the tank and pierce the plastic inliner bag to enable the liquid to come out.

If we were to call it something else in the TC then your refunds department would reject any refund we make as the goods would not be covered by the wording.

I would be happy to proceed with the following wording:

TANKS, BEVERAGE, including BOTH of the following:

- (a) storage capacity NOT greater than 250 L;
- (b) operating tap pressure NOT greater than 3 bar, with OR without ANY of the following:
  - (i) manhole, having a cover;
  - (ii) piercing unit, having a tap;
  - (iii) safety valves;
  - (iv) support frames;
  - (v) beverage distributor AND/OR divider heads

Op. 17.08.17 - TC 1789954

TANKS, BEVERAGE, including BOTH of the following:

- (a) storage capacity NOT greater than 1 000 L and NOT less than 500 L;
- (b) operating tap pressure NOT greater than 3 bar, with OR without ANY of the following:
  - (i) manhole, having a cover;
  - (ii) piercing unit, having a tap;
  - (iii) safety valves;
  - (iv) support frames;
  - (v) beverage distributor AND/OR divider heads

Op. 17.08.17 - TC 1789961

TANKS, BEVERAGE COOLING, insulated, including ALL of the following:

(a) storage capacity NOT greater than 1 000 L;

- (b) operating tap pressure NOT greater than 3 bar;
- (c) copper cooling coils,

with OR without ANY of the following:

- (i) manhole, having a cover;
- (ii) piercing unit, having a tap;
- (iii) safety valves;
- (iv) support frames;
- (v) beverage distributor AND/OR divider heads

Op. 17.08.17 - TC 1789967

Kind Regards

M +61 s47F | NSW Customs Manager | T +61 2 s47F

#### **Australian Government**

#### Department of Immigration and Border Protection

Quote: TC 1789961 Your Ref: tank 2 Department of Immigration & Border Protection
PO Box 25
Belconnen ACT 2616
Pb: (02) \$22(1)(a)(ii)

Ph: (02) s22(1)(a)(ii) Fax: (02) 6198 7203

Email: tarcon@border.gov.au

14 September 2017

s47F

TRANSTAR INTERNATIONAL FREIGHT (AUST) PTY LTD BUILDING 1 10-13 PHINEY PLACE INGLEBURN NSW 2565

Dear s47F

#### TARIFF CONCESSION SYSTEM APPLICATION ACCEPTANCE

Your application for Tariff Concession Order (TCO) Number TC 1789961 has been accepted by the Department of Immigration and Border Protection as a valid application. The application will be published in Gazette Number TC17/40 of 20 September 2017. Details of the gazette notice are shown in the attachment.

Please examine the wording of the gazette notice and advise the Comptroller-General of Customs immediately if the wording does not accurately describe the goods for which a TCO has been sought. This is a verification of agreed wording not an opportunity to further amend.

Yours sincerely,

s22(1)(a)(ii)

s22(1)(a)(ii)

Delegate of the Comptroller-General of Customs

50

7309.00.00

TANKS, BEVERAGE, including BOTH of the following:

(a) storage capacity NOT greater than 1 000 L and NOT less than 500 L;

- (i) manhole, having a cover;
- (ii) piercing unit, having a tap;
- (iii) safety valves;
- (iv) support frames;(v) beverage distributor AND/OR divider heads

Op. 17.08.17

- TC 1789961

Stated Use:

For storing and distributing beer

Applicant:

Duotank Australia Pty Ltd

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# Consideration of an application for a Tariff Concession Order lodged under subsection 269F of the Customs Act 1901

#### Acceptance as a valid application

#### Statement of reasons

#### TC 1789961

I, s22(1)(a)(ii)

n , delegate of the Comptroller-General of Customs, have considered, in terms of section 269H of the *Customs Act 1901* (the Act), an application for a tariff concession order (TCO) lodged under section 269F of the Act.

I am satisfied that:

- · the application complies with section 269F of the Act; and
- having regard to the information disclosed in the application and to the particulars of the inquiries made by the applicant, there are reasonable grounds for believing that the applicant has discharged the responsibility referred to in section 269FA of the Act.

I therefore accept the application as a valid application.

Dated this 13 day of September 2017

s22(1)(a)(ii)

s22(1)(a)(ii)

Delegate of the Comptroller-General of Customs

#### **Australian Government**

#### **Department of Immigration** and Border Protection

Quote: s22(1)(a)(ii)

TC 1789961 s22(1)(a)(ii)

Department of Immigration & Border Protection PO Box 25 Belconnen ACT 2616

Ph: (02) s22(1)(a)(ii) Fax: (02) 6198 7203

Email: tarcon@border.gov.au

14 September 2017

THE MANAGER INOX FABRICATIONS AUSTRALIA PTY LTD PO BOX 1481 **EPPING VIC 3076** 

Dear Sir/Madam

#### TARIFF CONCESSION SYSTEM APPLICATION ACCEPTANCE

This is to advise that the Department of Immigration and Border Protection has received three application for a duty free concession for beverage tanks. Please see the attached pages for details of the legal wording and classifications of the tanks.

The applications should appear in the Tariff Concession Gazette of 20 September 2017 at https://www.border.gov.au/Busi/domestic-manufacturers-and-importers/tariffconcessions-gazette. It is possible that your company produces goods that are described by the application or are described differently but are nonetheless substitutable for the imported goods, and you may wish to object to the making of the TCO. If so, you would need to provide information in the attached form within 50 calendar days of the gazette date.

If you have any enquiries, please email tarcon@border.gov.au or myself.

Yours faithfully,

s22(1)(a)(ii)

s22(1)(a)(ii)

Supervisor – Immigration and Border Protection

Freedom of Information Act 1982 Released by Department of Home Affairs under the

Description of Goods including the Customs Tariff Classification

Schedule 4 Item Number

50

7309.00.00

TANKS, BEVERAGE, including BOTH of the following:

(a) storage capacity NOT greater than 1 000 L and NOT less than 500 L;

(b) operating tap pressure NOT greater than 3 bar, with OR without ANY of the following:

- (i) manhole, having a cover;(ii) piercing unit, having a tap;
- (iii) safety valves;
- (iv) support frames;
- (v) beverage distributor AND/OR divider heads

Op. 17.08.17

- TC 1789961

Stated Use:

For storing and distributing beer

Applicant:

Duotank Australia Pty Ltd

Freedom of Information Act 1982 Released by Department of Home Affairs under the

#### TARIFF CONCESSION ORDER

Under Section 269P of the *Customs Act 1901*, I, \$22(1)(a)(ii) a delegate of the Comptroller-General of Customs declare that the goods specified in Column 1 of THE TABLE are goods to which the item in Part III of Schedule 4 to the *Customs Tariff Act 1995* specified in Column 2 of THE TABLE applies. This Order shall have effect from 17.08.17 and continue in force until revoked under sections 269SC or 269SD of the *Customs Act 1901*, or the date, if any, specified in Column 2.

#### THE TABLE

COLUMN 1
Description of Goods including the
Customs Tariff Classification

COLUMN 2 Schedule 4 Item Number Last date of effect

50

7309.00.00

TANKS, BEVERAGE, including BOTH of the following:

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  - (v) beverage distributor AND/OR divider heads

Op. 17.08.17

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This is page 1 of 1 Page of the above Table.

Dated 22 November 2017

Delegate of the Compt#Oller-General of Customs

s22(1)(a)(ii)

#### Consideration of an application for a Tariff Concession Order lodged under subsection 269F of the Customs Act 1901

#### Making of a Tariff Concession Order

#### Statement of Reasons

#### TC 1789961

I, s22(1)(a)(ii) delegate of the Comptroller-General of Customs, have considered, in terms of subsection 269P of the *Customs Act 1901* (the Act), an application for a tariff concession order (TCO) lodged under subsection 269F of the Act.

#### Having regard to:

- the TCO application;
- all submissions lodged with the Comptroller-General before the last day for submissions;
- any information that may have been supplied or produced to the Comptroller-General, including in accordance with a notice under subsection 269M(4); and
- any inquiries made by the Comptroller-General;

I am satisfied that the application meets the core criteria as defined in section 269C of the Act in that on the day on which the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

I have also had regard to section 269SJ of the Act which describes certain goods for which a TCO must not be made. I am satisfied that there are no exclusions applicable to the goods the subject of the TCO application.

Dated this 22nd

day of

November

2017

s22(1)(a)(ii)

s22(1)(a)(ii)

Delegate of the Comptroller-General Of Customs

#### **Australian Government**

#### Department of Immigration and Border Protection

Reply to Comptroller General of Customs

Quote: TC 1789961

Department of Immigration & Border Protection
PO Box 25
Belconnen ACT 2616
Ph: (02) \$22(1)(a)(ii)

Fax: (02) 6198 7203

Email: tarcon@border.gov.au

22 November 2017

s47F

TRANSTAR INTERNATIONAL FREIGHT (AUST) PTY LTD BUILDING 1 10-13 PHINEY PLACE INGLEBURN NSW 2565

Dear s47F

#### TARIFF CONCESSION SYSTEM APPLICATION SUCCESSFUL

I refer to your application for Tariff Concession Order (TCO) Number TC 1789961 lodged on 17 August 2017.

As a delegate of Comptroller-General of Customs I am satisfied that the application meets the core criteria on the basis of section 269C of the *Customs Act 1901* and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette Number TC17/50 of 29 November 2017.

The TCO, as detailed in the attachment, will also be published in the Schedule of Concessional Instruments as soon as possible.

Yours sincerely,

s22(1)(a)(ii)

s22(1)(a)(ii)

Delegate of the Comptroller-General of Customs

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