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Trade (Dumping and Countervailing Duties) Act 1988

APPLICATION FOR A REVIEW OF ANTI-DUMPING DUTIES AGAINST PRESERVED PEACHES FROM GREECE

May 2020

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1. Introduction

Executive Summary

This application concerns the review of existing anti-dumping duties on imports of dumped preserved peaches originating from Greece and the recurrence of material injury to the New Zealand industry from those dumped imports should duties cease to apply.

Heinz Wattie's Limited ("HWL") is the only producer of preserved peaches in New Zealand (under the brand names Wattie's, Oak and Weight Watchers).

Imports of preserved peaches covered by the existing anti-dumping duties are still sold in New Zealand. These preserved peaches from Greece appear to be still dumped.

Material injury to HWL from imports of preserved peaches originating from Greece will recur, should anti-dumping duties cease to apply. This is due to the availability of preserved peaches in Greece as well as the sensitive New Zealand market for preserved peaches.

The material injury caused to HWL from the return of dumped imports to New Zealand will be in the form of price undercutting, price suppression and price depression. The economic effects will be a decline in sales, market share, output, profits and [REDACTED] [HWL forecasted business strategy] and the supporting horticultural industry.

Grounds for Application

HWL applies for the initiation of a review of the existing anti-dumping duties upon canned peaches from Greece pursuant to section 17D of the Trade (Dumping and Countervailing Duties) Act 1988 (the "Act").

This application is made on the grounds that if existing anti-dumping duties cease to be payable then imports of dumped preserved peaches from Greece will cause a recurrence of material injury to the New Zealand preserved peach industry represented by HWL through:

- price undercutting;
- price depression; and
- price suppression,

resulting in:

- a decline in output and sales,
- a decline in market share,
- a decline in profits and return on investments,
- a decline in utilization of production capacity; and
- adverse effects upon cash flow, inventories, employment, and growth.

In support of these claims HWL tenders this submission and evidence as justification for continuation of the anti-dumping duty.

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2. Interested Parties

The Applicant

The applicant is Heinz Wattie's Limited ("HWL") which is the only producer of preserved peaches in New Zealand, under the brand names Wattie's, Oak and Weightwatchers.

The application is made on behalf of the sole New Zealand producer of preserved peaches.

Heinz Wattie's Limited
Private Bag 99920
Newmarket
Auckland

Telephone: 09 308 5000

Contact: [REDACTED] *[internal HWL contact details]*
Email: [REDACTED] *[internal HWL contact details]*

Heinz Wattie's Limited is a subsidiary of the Kraft Heinz Company, USA.

Any queries in regard to this application should be directed to Simon Crampton. For the purposes of the review Heinz Wattie's Limited is being represented by Simon Crampton, an independent consultant.

e-simoncrampton@xtra.co.nz
p-021730384

Importers

HWL is aware that there have been a limited number of recent imports from Greece. HWL is unaware who the importer is and through which channels these imports are being sold. In previous investigations the following companies have imported canned peaches and have been interested parties.

- Foodstuffs Own Brands Limited
- Progressive Enterprises Limited

Referring to the 2015 review it appears no importers participated in the investigation.

Exporters

HWL currently has no knowledge of all companies in Greece who are exporting to New Zealand and HWL. Interested parties who are importers would be able to provide this information in a review. Information on all importers is available from Custom's confidential data base which the Ministry has access to.

Referring to the 2015 review it appears no exporters participated in the investigation.

3. Like Goods

The imported goods are described as:

Peaches (halves, slices or pieces) packed in retail size cans

HWL produces, as part of its product range, a range of styles of preserved peaches (halves, slices and dices), packed in various media (such as syrup, fruit juice and lite) in various can sizes.

The goods are currently classified under tariff item and statistical key 2008.70.09 of the Tariff of New Zealand.

The normal duty rate for the goods for Greece is 5%.

Like Goods Considerations

In identifying like goods, the applicant has used the Ministry's framework in order to determine what goods produced in New Zealand are like goods to the allegedly dumped imports.

- (a) Physical characteristics. This covers appearance, size and dimensions, composition, production methods and technology.
- (b) Function / usage. This covers consumer perceptions / expectations, end uses, and will lead to any conclusions on the issue of substitutability where relevant.
- (c) Pricing structures.
- (d) Marketing. This covers distribution channels, customers and advertising.
- (e) Other. This can include tariff classification if applicable, and any other matters which could be applicable in the circumstances.

Physical Characteristics

The applicant produces preserved peaches either in the form of halves, slices or pieces. The processed peaches are packed in cans. These preserved peaches are very similar to preserved peaches imported from Greece previously.

Function and Usage

The applicant produces preserved peaches for retail and food service sale in New Zealand. These preserved peaches have the same function and application as imported preserved peaches.

Pricing

The preserved peaches produced by the applicant compete at the same price point as the imported preserved peaches. This level of competition is HWL wholesale price versus the imported ex-wharf cost of imports as has been established in previous investigations.

Marketing Issues

The distribution channels, customers and means of advertising are similar for the New Zealand produced preserved peaches and imported preserved peaches from Greece.

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Other

The canned peaches produced by HWL, if imported into New Zealand, would be classified under the same tariff item and statistical key in the Customs tariff. (Tariff item 2008.70.09.00)

Conclusions Relating to Like Goods

In summary, the preserved peaches manufactured in New Zealand by the applicant have the same or similar physical characteristics, method of manufacture, function and usage, pricing, marketing and tariff classification. There is sufficient evidence for the purposes of review that preserved peaches produced by HWL have characteristics that very closely resemble the subject goods, and therefore are like goods to the subject goods.

HWL is the only New Zealand manufacturer of preserved peaches in cans. With the positive evidence provided in this application the requirements of Section 17(D)1 of the Act have been met.

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4. Imports of Canned Peaches

Preserved peaches with the description of the subject goods are not separately identified in the Tariff of New Zealand. HWL is unable to provide the proportion of the import figures that are the subject goods of the relevant statistical key due to other imports. In addition, HWL has been unable to determine whether anti-dumping duty has been paid on imports of canned peaches that it has identified that are not Heinz Wattie imports. The Ministry has access to the customs database for answers to these questions.

The import figures in Table 1 below have been compiled from Statistics New Zealand (Infoshare) data.

Table 1: Imports under Tariff Item 2008.70.09.00 Year End February 2020

| Country | Quantity | Cost including insurance and freight | Value for duty | Value for duty/KG |
|-----------------------------|-----------|--------------------------------------|----------------|-------------------|
| Australia | 74,294 | 378,056 | 369,073 | 4.97 |
| Belgium | 72 | 470 | 438 | 6.08 |
| China, People's Republic of | 1,412,398 | 2,999,514 | 2,854,721 | 2.02 |
| Fiji | 3 | 24 | 21 | 7.00 |
| Greece | 73,862 | 89,621 | 81,556 | 1.10 |
| Italy | 11,820 | 30,415 | 20,267 | 1.71 |
| Japan | 49 | 998 | 976 | 19.92 |
| Korea, Republic of | 768 | 3,745 | 3,636 | 4.73 |
| Malaysia | 15 | 73 | 69 | 4.60 |
| North Macedonia | 684 | 2,577 | 2,481 | 3.63 |
| Russia | 25 | 117 | 113 | 4.52 |
| South Africa | 2,102,548 | 4,257,019 | 4,034,379 | 1.92 |
| Spain | 54,989 | 95,033 | 89,946 | 1.64 |
| United Kingdom | 17 | 252 | 237 | 13.94 |
| United States of America | 92 | 1,851 | 1,496 | 16.26 |
| Total | 3,731,636 | 7,859,765 | 7,459,409 | 2.00 |

Source : Statistics New Zealand Infoshare Data

HWL endeavours to source New Zealand grown fruit for its preserved peach operation with the [REDACTED]

[business strategy] In times of short supply, HWL is compelled to import preserved peaches which may be subject to trade remedies.

HWL preserved peach imports, apart from country of origin declarations, are labelled the same as the New Zealand products and are sold at the same regular price. The sale of these products in the New Zealand market protects the market share, shelf space and consumer goodwill for New Zealand preserved peaches in a time of shortage and does not cause injury to HWL.

HWL understands that many of the importers previously and currently involved in importing preserved peaches to New Zealand remain active. If anti-dumping duties are removed from the subject goods it is almost without question that these parties would be able to use the

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unfair advantage of dumped prices to increase imports of canned peaches into New Zealand from Greece.

HWL has not been able to identify where the recent imports are being sold as it would appear there are no new brands of retail canned peaches. The Ministry with access to customs data would be able to identify the importer, the products and which channels they are being sold through. It is noted in the 2015 investigation imports of aseptically packed peaches and peaches packed in drums were imported from Greece and excluded as not being part of like goods definition.

Anti-dumping duties are in place currently for Greece, Spain and South Africa to prevent dumping and material injury to the New Zealand industry.

5. NEW ZEALAND MARKET

The New Zealand retail market for preserved peaches is made up of New Zealand production and imports as set out in Table 2. The AC Nielsen data used to construct this is available in Appendix 10.1.

As sales closely follow production and / or imports, no allowance has been made for stock in trade.

The New Zealand wholesale market for the supply of preserved peaches to distributors and retailers is highly competitive. There are no long-term supply contracts in place for customers and house brand supply contracts are up for constant tender. All supermarkets stock brands of preserved peaches other than those supplied from HWL. HWL therefore has no exclusive customers with the market always open to new sources of supply.

Because of the different levels of trade (CIF, FOB, ex-factory) an estimate of the wholesale market value has not been made. A more accurate indication of the wholesale market will be available when importers' sales values are obtained.

There are 3 distinct levels of trade:

- ex manufacturer, eg HWL
- ex importer direct to customer
- direct to supermarket

Table 2: Market Share by Brand

| Brand | Tonnes | Share |
|-----------------|--------|-------|
| Watties | | |
| Pams | | |
| Homebrand | | |
| Oak | | |
| Value | | |
| Select | | |
| Goulburn Valley | | |
| Weight Watchers | | |
| Summer Harvest | | |
| Australian Gold | | |
| Dole | | |
| Gilmours | | |
| Budget | | |
| Ceres Organics | | |
| Fruiti | | |
| Opies | | |
| Maison Therese | | |
| S.P.C | | |
| Grand Total | | |

Source: Confidential Appendix 10.1: AC Nielsen Data MAT 4th April 2020 [confidential AC Nielsen data]

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6. Evidence Of Dumping

Export Prices

HWL obtained data through Infoshare for imports of preserved peaches from Greece to New Zealand by month for year end February 2020. From this data an estimated export price has been able to be calculated in Table 3 below.

Table 3: Export Price February 2020

| | | |
|----------------------------|--------|-------|
| Value for duty (VFD) | | 9,772 |
| Volume (KG) | | 7,344 |
| VFD/KG | | 1.33 |
| Currency Conversion (Euro) | 0.5860 | 0.78 |
| Freight to port | 1% | 0.01 |
| ex-Factory Euro/KG | | 0.77 |

Source: Appendix 10.2 Statistics NZ (Infoshare), Appendix 10.7

The exchange rate has been found from www.x-rates.com for the month of February 2020, available as Appendix 10.7.

Looking at the last 12 months imports through Infoshare gives an export price in Table 4 below.

Table 4: Export Price March 2019 to February 2020

| | | |
|----------------------------|--------|--------|
| Value for duty (VFD) | | 81,556 |
| Volume (KG) | | 73,862 |
| VFD/KG | | 1.10 |
| Currency Conversion (Euro) | 0.5874 | 0.65 |
| Freight to port | 1% | 0.01 |
| ex-Factory Euro/KG | | 0.64 |

Source: Appendix 10.2 Statistics NZ (Infoshare), Appendix 10.7

The average exchange rate has been found from www.x-rates.com for the period March 2019 through February 2020 and taking the average for the year.

An allowance of 1% has been made for freight to port. This allowance has been made [REDACTED]. [basis for figure] This is a very short transit compared to the likely transit of the like goods in Greece and is most likely significantly understated due to this. HWL has no knowledge of like goods freight rates in Greece.

Additionally, HWL has been able to obtain export volumes and value from Greece to other global markets. The source of this data is TradeData International Pty Ltd. This data summarises all peach exports from Greece from 2015 through 2020. The data is in USD and an average exchange rate has been found from www.x-rates.com for the period January 2019 through December 2019 and taking the average for the year. Using this data gives an export price as below.

Table 5: Global Export Price Year End December 2019

| | | |
|----------------------------|--------|------|
| Value for duty (USD) | | |
| Volume (Tonnes) | | |
| VFD/KG | | |
| Currency Conversion (Euro) | 0.8930 | 0.89 |
| Freight to port | 1% | 0.01 |
| ex-Factory Euro/KG | | 0.88 |

Source: Confidential Appendix 10.3 TradeData, Appendix 10.7 [confidential International trade data analysis]

The average exchange rate has been found from www.x-rates.com for the period January 2019 through December 2019 and taking the average for the year.

This data also included exports for January 2020. The export price for January 2020 is calculated in Table 6 below.

Table 6: Global Export Price January 2020

| | | |
|----------------------------|--------|------|
| Value for duty (USD) | | |
| Volume (Tonnes) | | |
| VFD/KG | | |
| Currency Conversion (Euro) | 0.9003 | 0.85 |
| Freight to port | 1% | 0.01 |
| ex-Factory Euro/KG | | 0.84 |

Source: Confidential Appendix 10.3 TradeData, Appendix 10.7 [confidential International trade data analysis]

TradeData were also able to supply the last 6 years exports from Greece and it could be argued looking at the last 12 months that the export price has been decreasing which may indicate oversupply and excess capacity.

Graph 1: Exports From Greece

[Graph of last 6 years exports peaches Greece]

Source: Appendix 10.3 TradeData

Normal Value

HWL has sourced market prices for preserved yellow peaches in Greece from April 2020. The method applied to source this was to get a list of supermarkets in Greece via Wikipedia (https://en.wikipedia.org/wiki/List_of_supermarket_chains_in_Greece) and then google the retailers for their online prices. This information is available as confidential Appendix 10.4.

In the sample for normal value is the Del Monte brand. This brand was included in the normal value calculation in 2015. HWL notes that a search shows Del Monte branded canned peaches with country of origin being Greece are commonly sold in the EU.

<https://www.blik.lv/en/catalog/fruits/peaches>

<https://appychop.co.uk/store-9/food-cupboard/canned-food/dm-peach-slices-in-juice-0024000124955>

<https://britishfoodbasket.co.uk/del-monte-peach-slices-light-syrup-227g-615-p.asp>

Therefore it would seem a reasonable assumption that the Del Monte branded peaches sold in Greece are of Greece origin and should still be included in the calculation for normal value.

The normal value calculation for a 410g can is shown below in Table 7.

Table 7: Normal Value April 2020

| | | |
|-------------------------|-------|------|
| Retail Price Euro/KG | | |
| excl. VAT | 13.0% | |
| excl. Retailers Margin | | |
| Freight to Customer | | |
| ex-Factory Wholesale/KG | | 1.74 |

Source: Appendix 10.4 [confidential financial data]

The [redacted] % [figure] retail margin has been based on HWL's knowledge of the margin and distribution of preserved peaches in New Zealand.

There is a VAT of 13%.

An allowance of [redacted] % [figure] has been made for freight to customer. This allowance has been made on HWL's understanding of local freight charges.

Dumping

A comparison of an export price based on imports for the last 12 months from Infoshare data and a normal value estimated from a domestic price obtained in April is shown below in Table 8. Comparing the export price and normal value gives a dumping margin of 1.10 Euro/KG or 172%.

Table 8: Dumping Margin Year End February 2020

| | | |
|----------------------------------|--|------|
| Normal Value | | 1.74 |
| Export Price | | 0.64 |
| Dumping Margin | | 1.10 |
| Dumping Margin as % Export Price | | 172% |

Source: Table 4, Table 7

If the TradeData export price for 2019 is used the dumping margin decreases to 0.85 Euro/KG or 95% as can be seen in Table 9 below.

Table 9: Dumping Margin 2019

| | | |
|----------------------------------|--|------|
| Normal Value | | 1.74 |
| Export Price | | 0.88 |
| Dumping Margin | | 0.87 |
| Dumping Margin as % Export Price | | 99% |

Source: Table 5, Table 7

If the TradeData export price for January 2020 is used the dumping margin is 0.91 Euro/KG or 108% as can be seen in Table 10 below.

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Table 10: Dumping Margin January 2020

| | | |
|----------------------------------|--|------|
| Normal Value | | 1.74 |
| Export Price | | 0.84 |
| Dumping Margin | | 0.91 |
| Dumping Margin as % Export Price | | 108% |

Source: Table 6, Table 7

These calculations demonstrate that there are significant dumping margins. The evidence supports the argument that if anti-dumping duties on exports of preserved peaches from Greece to New Zealand were removed, then preserved peaches from Greece would be dumped in New Zealand.

7. Evidence of Recurrence Of Material Injury

Price Undercutting

In Confidential Appendix 10.5 is HWL forecast with duties in place. From 2019 net sales and volume the net sales value ex-warehouse per kilogram has been calculated in Table 11 below with freight to customer subtracted. This is then compared with the TradeData export price for 2019 at 0.88 Euro/KG. Using exchange rate conversions in Appendix 10.7 gives a value of \$1.50/KG NZD. From the [REDACTED]. [cost assumptions] With freight and insurance added gives an ex-wharf import price to compare with HWL ex-factory prices. This is \$ [REDACTED]/KG NZD. [figure] This is the level of trade that has been established in previous investigations.

Table 11: Price Undercutting NZD

| | Net Cost per KG | Import Cost per KG | Undercutting per KG | Undercutting % |
|----------|-----------------|--------------------|---------------------|----------------|
| Wattie's | [REDACTED] | [REDACTED] | [REDACTED] | -41% |
| Oak | [REDACTED] | [REDACTED] | [REDACTED] | -30% |

Source: Appendix 10.2, Confidential Appendix 10.3 & 10.5 [confidential financial data]

This margin of undercutting is significant and there is no evidence to believe that if anti-dumping duties are removed that this level of undercutting will not exist. The level of price undercutting analysed is HWL ex-factory price compared to the imported price ex-wharf.

If the current average import cost is used the level of price undercutting increases significantly.

Table 12: Price Undercutting NZD

| | Net Cost per KG | Import Cost per KG | Undercutting per KG | Undercutting % |
|----------|-----------------|--------------------|---------------------|----------------|
| Wattie's | [REDACTED] | [REDACTED] | [REDACTED] | -56% |
| Oak | [REDACTED] | [REDACTED] | [REDACTED] | -47% |

Source: Appendix 10.2, Confidential Appendix 10.7 [confidential financial data]

For the purposes of further analysis the level of price undercutting using the TradeData import price of \$ [REDACTED]/KG [figure] will be used given exports to all countries at the 6 digit level was accepted in the 2015 review.

In recent reviews, the Ministry has focused on determining price undercutting margin to the Oak brand. To maintain the relative premium that Wattie's maintains in the injury analysis that follows, rather than the Oak undercutting margin of \$ [REDACTED] be used for Wattie's, actually [REDACTED]% of the Wattie's NSV being \$ [REDACTED] (\$ [REDACTED] when calculated at third decimal place as base data calculates) will be used to maintain the relative percentage premium Wattie's maintains in the market. [figures]

Price Depression

HWL's premium brand is the Wattie's brand while [REDACTED]. HWL endeavours to [REDACTED]. The Wattie's brand has [REDACTED].

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[confidential brand and business strategy]

Evidence of the Wattie's premium is available in Confidential Appendix 10.1, Nielsen market data. The Wattie's price can only be [redacted] [business strategy] such a price differential that consumers resist paying the Wattie's price. Unsustainable price differences have previously occurred in the past when dumped or subsidized imports have entered the New Zealand market. This resulted in such a loss of volume and market share for HWL products that prices for this premium range were forced downwards. Evidence of this market share loss has been presented in the last two initiation investigations; China 2005 where the [redacted] brand grew to [redacted]% share in Pak n Save South Island over 4 weeks and likewise for the Spain 2010 investigation where the [redacted] brand grew to [redacted]% share in Pak n Save Wellington over 4 weeks. [HWL insights into NZ market]

A similar effect would be likely to occur should dumped imports from Greece be permitted to return to the market. In fact, [redacted] of the supporting horticultural [redacted] should dumped preserved peaches from Greece be sold in the New Zealand market. [forecast scenario]

In the absence of anti-dumping duties, importers and retailers would be able to command retail price points well below NZD \$1.00 per unit for a 410g can of preserved peaches. Historically this has been the price retailers have targeted to drive foot traffic in-store. If dumped preserved peaches were to be traded at this price point in the New Zealand market, HWL will face the clear and imminent threat of having to decrease wholesale prices to customers, thus also putting the viability of its operations at risk, as mentioned above. Using the TradeData import price for the past 12 months globally of \$[redacted]/KG NZD, adding on insurance and freight, retailers could even retail a 410G can of peaches for 79 cents and make a profit. This magnitude of price undercutting leading to price depression would [redacted]. [forecasted injury]

Price Suppression

The effects of dumped preserved peaches from Greece returning to the NZ market of price undercutting causing price depression would mean that price suppression would exist with HWL being unable to offset the significant undercutting by means of cost savings and price increases elsewhere. In fact the opposite effect would occur with HWL's cost base increasing either due to:

- Market share being taken by dumped imports of preserved peaches from Greece causing processing costs per tonne to increase if HWL was to consider processing less than the entire peach crop. This would be because if market share transferred to dumped imports the quantity of canned peaches that HWL would be required to produce would reduce and the fixed costs (being the same) of running the canned peach business would be spread across this reduced volume representing an increase in cost per tonne or;
- HWL defending its market share by increasing its trade marketing activity through promotional spend to compete on price with the dumped imports to retain market share.

In summary, should dumped peaches from Greece reappear on the New Zealand market HWL would either need to consider [redacted]. Either way injury will have occurred. [forecasted injury]

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Source: Confidential Appendix 10.5 & 10.6 [*confidential financial data*]

Such a loss of sales revenue and profit would make [REDACTED] supporting horticultural industry. [*commentary on profit impact*]

A forecast reflecting this loss is available in Confidential Appendix 10.6. In Confidential Appendix 10.5 is a forecast with anti-dumping duties in place as a comparison. It is assumed injury would be for 2021 and 2022.

Even though [REDACTED] as can be seen in Appendix 10.5. However this gross margin has [REDACTED] with HWL being unable to [REDACTED] to retailers. [*financial commentary*]

Forecasted Imports from Greece

It is important to be clear that the threat of injury exists if existing anti-dumping duties are removed due to the high capacity of the Greek canned peach industry and current global economic pressures being placed upon this industry meaning inventory will be available and the reasonable expectation that cost savings from the removal of the duty would be passed on.

The current global canned peach situation has placed an increasing amount of pressure on the Greek industry. There have been two key actions taken by nations Greece trades with which logic would dictate would lead to surplus capacity for Greek producers and readily available stocks for importers into New Zealand. These two actions are:

1. Russia trade embargo set in 2014 which prevents Greece exporting canned peaches to Russia.
2. Increased tariffs into the United States as a result of the current actions taken by the Trump administration in their tariff war with the EU.

Reference to this can be found here: <https://uk.reuters.com/article/us-wto-trade-greece-peaches/not-a-peachy-outlook-greek-producers-despair-over-trumps-new-tariffs-idUKKBN1X70M5>

A search of 'buy canned peaches from Greece' indicates it would be very easy to set up a trade arrangement with an exporter from Greece. This in combination with the economic threat to the Greek industry plus the recent increase of imports into New Zealand would all indicate that forecasting increased imports in the absence of anti-dumping duties would be a logical assumption.

The above arguments are also reinforced by the recent decline in export price from Greece as already referenced in Graph 1 previously.

HWL has demonstrated in the last two initiation investigations in relation to dumping from China (2005) and Spain (2010) that it only takes a relatively small volume of imports into the market, in the region of 200 tonnes, to cause injury.

Productivity

Currently, imports of preserved peaches from Greece would appear to not be having an injurious affect on HWL productivity due to either:

- The anti-dumping duties in place partially addressing the magnitude of dumping; or

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- The current imports falling outside of the like goods definition.

Should the anti-dumping duties be removed and the cost of importing reduce and be passed onto the consumer, then there will be an injurious affect on the New Zealand industry which [REDACTED]. *[forecasted injury]*

Presently, HWL has commitments to contracted growers to take their crop for 2021 and 2022. Should dumped import pricing be passed onto consumers, HWL would need to consider whether all or none of the crop would be processed. The cost of this crop is approximately \$[REDACTED] million dollars annually. *[figure]*

Return on Investments

EBIT figures have been provided both with and without anti-dumping duties in place in Confidential Appendix 10.5 and Confidential Appendix 10.6. If anti-dumping duties are not in place returns would diminish post [REDACTED]

[REDACTED] This in turn could cause further injury to other areas of HWL's agricultural operations in New Zealand. *[forecasted injury]*

Production Capacity

As mentioned in previous investigations, HWL production capacity is constrained by the crop its contracted orchardists can deliver. If anti-dumping duties are removed and material injury does occur, [REDACTED]. *[Forecasted injury]*

This will have a devastating effect upon New Zealand peach growers as the company's raw material suppliers. The peach varieties they grow are [REDACTED]. *[Forecasted injury]*

Other economic effects

The loss of volume, sales revenue and profits from the return of dumped imports will also have significant adverse effects upon HWL's achievable return on investments, cash flow, inventories, employment and growth with [REDACTED]. *[forecasted injury]*

Under the forecasted scenario of removal of duties [REDACTED] the impact would be:

- Decreased cash flow with [REDACTED]
- Commitments to crop (raw material inventory) that HWL will need to [REDACTED] the value of that stock has diminished based on the lower returns through removal of duties.
- Employment [REDACTED].
- *[HWL comments on injury]*

Causal Link

The causal link between dumped imports of preserved peaches and material injury has been established in the original investigation. It was found in the original investigation that

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should anti-dumping duties not be put in place, material injury would occur to the New Zealand industry. With the availability of preserved peaches from Greece for export and the continued importation of dumped canned peaches this causal link still remains in place as was determined in the original investigation, and for the reasons set out in this application.

8. Other Factors Affecting the Industry

Volume and Prices of Goods not Sold at Dumped Prices

HWL is not aware of any material injury being caused through fairly traded competitor branded products.

Contraction in Demand or Changes in the Patterns of Consumption

There does not appear to be any contraction in demand or changes in the patterns of consumption.

Restrictive Trade Practices of; and Competition Between, Overseas and New Zealand Producers

HWL is not aware of any further restrictive trade practices that is currently affecting the New Zealand industry.

Developments in Technology

HWL does not believe that there is any evidence of a technology development relevant to the consideration of material injury.

HWL is of the understanding that its method of processing peaches is similar to that of other processors.

Export Performance and Productivity of the New Zealand Producer

HWL exports a small volume of preserved peaches to the Pacific Islands. These exports are negligible representing less than █% [figure] of HWL's canned peach sales.

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9. Confirmation of Application

I apply, on behalf of Heinz Wattie's Limited, for the initiation of a sunset review of the anti-dumping duties applicable to *Peaches (halves, slices or pieces) packed in retail size cans* from Greece.

In support of this application I attach positive evidence of :

- i. The likelihood of dumping, should anti-dumping duties be removed;
- ii. The likely recurrence of material injury to the industry from the removal of duties;
and
- iii. The causal link between dumped goods and the likely recurrence of injury from the removal of duties.

Heinz Wattie's Limited makes this application as the New Zealand industry producing, for domestic consumption, like goods to those subject to the application.

Signed

Name Simon Crampton

Date 11th May 2020

10. APPENDICES

1. AC Nielsen Retail Market Data [*confidential retail market data*]
2. Statistics New Zealand Infoshare Data
3. TradeData International Pty. Ltd. Export Data [*confidential trade analysis*]
4. Greece Domestic Peach Prices
5. Heinz Wattie's Financials – Forecast [*confidential financial data*]
6. Heinz Wattie's Financials - Injury Forecast [*confidential financial data*]
7. Exchange Rates

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Appendix 10.2 – Statistics NZ Infoshare Data

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| Greece | | | |
|--|-----------------|---|-----------------------|
| Fruit; peaches, including nectarines, prepared or preserved in ways n.e.c. in heading no. 2007 and 2008, whether or not containing added sugar, other sweetening matter or spirit | | | |
| | Quantity | Cost including insurance and freight | Value for duty |
| 2019M03 | 0 | 0 | 0 |
| 2019M04 | 0 | 0 | 0 |
| 2019M05 | 0 | 0 | 0 |
| 2019M06 | 0 | 0 | 0 |
| 2019M07 | 0 | 0 | 0 |
| 2019M08 | 0 | 0 | 0 |
| 2019M09 | 0 | 0 | 0 |
| 2019M10 | 46,534 | 48,770 | 43,860 |
| 2019M11 | 19,984 | 29,467 | 27,924 |
| 2019M12 | 0 | 0 | 0 |
| 2020M01 | 0 | 0 | 0 |
| 2020M02 | 7,344 | 11,384 | 9,772 |
| | 73,862 | 89,621 | 81,556 |
| | | | 1.10 |

Table information:

Units:

Cost including insurance and freight: Dollars, Magnitude = Units (in 1s)

Quantity: Number, Magnitude = Units (in 1s)

Value for duty: Dollars, Magnitude = Units (in 1s)

Footnotes:

Quantity unit:

Code 2008700900: Kgms

Data is provisional for the three most recently released months.

Aggregated Harmonised System (HS) codes may include confidential 10

All dollar values are in New Zealand dollars unless otherwise stated.

For more information, please see www.stats.govt.nz/trade

Symbols:

.. figure not available

C: Confidential

E: Early Estimate

P: Provisional

R: Revised

S: Suppressed

N: No applicable data can be displayed

Status flags are not displayed

Table reference:

TIM001C

Last updated:

Cost including insurance and freight: 25 March 2020 10:45am

Quantity: 25 March 2020 10:45am

Value for duty: 25 March 2020 10:45am

Source: Statistics New Zealand

Contact: Information Centre

Telephone: 0508 525 525

[Email:info@stats.govt.nz](mailto:info@stats.govt.nz)

NON CONFIDENTIAL

Appendix 10.4 – Greece Domestic Peach Prices

| Retailer Type | Retailer | Brand (Greek) | Brand (English) | Weight | Euro | Euro/KG | | PDF Name |
|-------------------|----------------|----------------|-----------------|--------|------|---------|---------|------------------------|
| Supermarket | Bazaar | ΖΩΓΡΑΦΟΣ | Painter | 0.8000 | 2.29 | 2.86 | | Greece Peach Prices #1 |
| Supermarket | Bazaar | ΕΛΟΜΑΣ | Elomas | 0.8200 | 1.29 | 1.57 | | Greece Peach Prices #1 |
| Supermarket | Bazaar | | Del Monte | 0.8250 | 2.02 | 2.45 | | Greece Peach Prices #1 |
| Supermarket | Bazaar | | Del Monte | 0.4200 | 1.46 | 3.48 | | Greece Peach Prices #1 |
| Supermarket | Bazaar | Πιερία | Pieria | 3.5500 | 4.71 | 1.33 | | Greece Peach Prices #1 |
| Supermarket | Bazaar | | Farmer | 2.5500 | 3.62 | 1.42 | | Greece Peach Prices #1 |
| Supermarket | My Market | | Del Monte | 0.8250 | 2.02 | 2.45 | | Greece Peach Prices #2 |
| Supermarket | My Market | | My Gusto | 0.8200 | 1 | 1.22 | Special | Greece Peach Prices #2 |
| Supermarket | My Market | Βέρμιον Νάουσα | Vermion Naoussa | 0.8200 | 1.86 | 2.27 | | Greece Peach Prices #2 |
| Supermarket | Care Market | | Falani | 0.4650 | 1.28 | 2.75 | | Greece Peach Prices #3 |
| Supermarket | Care Market | | Del Monte | 0.8250 | 1.75 | 2.12 | | Greece Peach Prices #3 |
| Supermarket | e-Fresh | | Del Monte | 0.8250 | 1.75 | 2.12 | | Greece Peach Prices #4 |
| Supermarket | e-Fresh | | Zografos | 0.8000 | 2.28 | 2.85 | | Greece Peach Prices #5 |
| Supermarket | ABC | | Del Monte | 0.4200 | 1.95 | 4.64 | | Greece Peach Prices #6 |
| Supermarket | ABC | | Del Monte | 0.8250 | 2.45 | 2.97 | | Greece Peach Prices #6 |
| Convenience Store | AB Shop and Go | ΖΩΓΡΑΦΟΣ | Painter | 0.8000 | 2.29 | 2.86 | | Greece Peach Prices #7 |
| Convenience Store | AB Shop and Go | Πιερία | Pieria | 3.5000 | 4.71 | 1.35 | | Greece Peach Prices #7 |
| Convenience Store | AB Shop and Go | ΕΛΟΜΑΣ | Elomas | 0.8200 | 1.29 | 1.57 | | Greece Peach Prices #7 |
| Convenience Store | AB Shop and Go | | Del Monte | 0.8250 | 2.02 | 2.45 | | Greece Peach Prices #7 |
| Convenience Store | AB Shop and Go | | Farmer | 2.5500 | 3.62 | 1.42 | | Greece Peach Prices #7 |
| Convenience Store | AB Shop and Go | | Del Monte | 0.4200 | 1.46 | 3.48 | | Greece Peach Prices #7 |

Appendix 10.4 - Greece Domestic Peach Prices (#1)

Ροδάκινο < Κομπόστες | Bazaar

https://www.bazaar-online.gr/proino-kafes-rofimata/kombostes/rodakino/

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Εταιρεία Οικονομικά στοιχεία Έργα και Δίκτυο Καταστήματα Πωλητές Cash & Carry Φιλικότατο Επισκεψίματα

ΣΤΟ ΣΠΙΤΙ ΣΟΥ!

ΤΗΛΕΦΩΝΙΚΗ ΕΞΥΠΗΡΕΤΗΣΗ 213 0391701 Αναζητήστε εδώ...

ΒΡΕΙΤΕ ΟΛΑ ΤΑ ΠΡΟΪΟΝΤΑ ΕΔΩ Προϊόντα Προσφορές Φυλλάδιο Νέα & Ειδήσεις Διαγωνισμοί ΟΙ ΛΙΣΤΕΣ ΜΟΥ Καλάθι

Αρχική > ΠΡΩΪΝΟ - ΚΑΦΕΣ - ΡΟΦΗΜΑΤΑ > Κομπόστες > Ροδάκινο

ΠΡΩΪΝΟ - ΚΑΦΕΣ - ΡΟΦΗΜΑΤΑ

Καφές

Τσάι - Αφεψήματα

Σοκολάτα - Κακάο

Ζάχαρη

Δημητριακά

Μέλι

Μαρμελάδα

Είδη Επάλειψης

Γλυκά Κουταλιού - Μαστίχα

Κομπόστες

- ΒΙΟΛΟΓΙΚΟ
- ΦΥΤΙΚΟ
- ΧΩΡΙΣ ΓΛΟΥΤΕΝΗ
- ΧΩΡΙΣ ΛΑΚΤΟΣΗ
- ΚΟΠΗ
- ΠΡΟΪΟΝΤΑ ΦΥΛΛΑΔΙΟΥ
- ΠΡΟΪΟΝΤΑ ΕΛΟΜΑΣ
- ΝΕΑ ΠΡΟΪΟΝΤΑ
- ΑΠΟΚΛΕΙΣΤΙΚΑ ΠΡΟΪΟΝΤΑ

Ροδάκινο

ΜΑΡΚΕΣ ΧΑΡΑΚΤΗΡΙΣΤΙΚΑ ΤΙΜΗ

Best Sellers

| | | | |
|---|---|---|--|
| <p>ΖΩΓΡΑΦΟΣ Ζωγράφος Κομπόστα Ροδάκινο 800gr</p> <p>2,86€/κιλό</p> <p>Τιμή: 2,29€ / Τεμ</p> <p>- 1 Τεμ + </p> | <p>ΠΙΕΡΙΑ Πιερία Κομπόστα Ροδάκινο Φέτες 3.5kg</p> <p>2,62€/κιλό</p> <p>Τιμή: 4,71€ / Τεμ</p> <p>- 1 Τεμ + </p> | <p>ΕΛΟΜΑΣ Ελομας Κομπόστα Ροδάκινο 820g</p> <p>1,57€/κιλό</p> <p>Τιμή: 1,29€ / Τεμ</p> <p>- 1 Τεμ + </p> | <p>DEL MONTE Del Monte Κομπόστα Ροδάκινο 825 gr</p> <p>2,45€/κιλό</p> <p>Τιμή: 2,02€ / Τεμ</p> <p>- 1 Τεμ + </p> |
| <p>FARMER Farmer Κομπόστα Ροδάκινο σε Σιρόπι 2550g</p> <p>1,42€/κιλό</p> <p>Τιμή: 3,62€ / Τεμ</p> <p>- 1 Τεμ + </p> | <p>ΕΛΟΜΑΣ Ελομας Κομπόστα Ροδάκινο 580g</p> <p>2,57€/κιλό</p> <p>Τιμή: 1,49€ / Τεμ</p> <p>- 1 Τεμ + </p> | <p>DEL MONTE Del Monte Ροδάκινα Κομπόστα 420gr</p> <p>3,48€/κιλό</p> <p>Τιμή: 1,46€ / Τεμ</p> <p>- 1 Τεμ + </p> | |



ΟΙ ΠΡΟΣΦΟΡΕΣ ΜΑΣ ΣΤΟ

Σχετικά με Εμάς

Εταιρεία
Νέα
Κώδικας Δεοντολογίας
Επιβράβευση πελατών

E-shop

Πληροφορίες Αποστολής
Πληροφορίες Τρόπων
Πληρωμής
Επιστροφή Χρημάτων

ΠΑΝΤΑ ΣΤΗ ΔΙΑΘΕΣΗ ΣΑΣ

Πειραιώς 8, Μοσχάτο,
18346, Αθήνα
+30 213 0391701, +30 210 4827501
contact_us@bazaar-online.gr

Appendix 10.4 - Greece Domestic Peach Prices (#2)

Products | MyMarket

https://eshop.mymarket.gr/products?search=ροδάκινο&sort_by=score



0,00€ >

Σr

🏠 > Products

Αναζήτηση: ροδάκινο

Φίλτρα >

Συνάφεια ▾

40 ανά σελίδα ▾

| Delmonte Κομπόστα Ροδάκινο 825gr | My Gusto Κομπόστα Ροδάκινο 820gr | Βέρμιον Νάουσα Κομπόστα Ροδάκινο 820gr |
|---|---|---|
|  |  |  |
| 4,29€ Τελική τιμή κιλού | 2,13€ Τελική τιμή κιλού | 3,95€ Τελική τιμή κιλού |
| 2,02€ | 2,66€ Αρχική τιμή κιλού | |
| | 1,00€ | 1,86€ |
| 1,25€ -0,25€ | | |
| - 0 TEM +  | - 0 TEM +  | - 0 TEM +  |

Appendix 10.4 - Greece Domestic Peach Prices (#3)

Αποτελέσματα Αναζήτησης | Supermarket Caremarket

<https://www.caremarket.gr/apotelesmata-anazitisis/?Query=Κομπόστα>

| | | | | | |
|--|-------------|---|-------------|---|-------------|
|  | ♥ |  | ♥ |  | ♥ |
| <p>ΚΥΚΝΟΣ Κύκνος Κομπόστα Βύσσινο 425gr</p> | | <p>DEL MONTE Del Monte Κομπόστα Ροδάκινο 825gr</p> | | <p>DEL MONTE Del Monte Κομπόστα Ανανάς Φέτες 836gr</p> | |
| <p>2,30 €/τεμ.</p> | 5,41 €/κιλό | <p>1,75 €/τεμ.</p> | 2,12 €/κιλό | <p>3,10 €/τεμ.</p> | 3,71 €/κιλό |
| 1 τεμ. | + | 1 τεμ. | + | 1 τεμ. | + |
|  | ♥ |  | ♥ |  | ♥ |
| <p>DEL MONTE Del Monte Κομπόστα Ανανάς Φέτες 820gr</p> | | <p>FALANI Falani Κομπόστα Ροδάκινο 385gr</p> | | <p>FALANI Falani Κομπόστα Ροδάκινο 465gr</p> | |
| <p>3,05 €/τεμ.</p> | 3,72 €/κιλό | <p>1,37 €/τεμ.</p> | 3,56 €/κιλό | <p>1,28 €/τεμ.</p> | 2,75 €/κιλό |
| 1 τεμ. | + | 1 τεμ. | + | 1 τεμ. | + |
|  | ♥ |  | ♥ |  | ♥ |
| <p>FALANI Falani Κομπόστα Βερίκοκο 475gr</p> | | <p>DEL MONTE Del Monte Ανανάς Φέτες Σε Φυσικό Χυμό 565gr</p> | | <p>PRINCES Princes Ανανάς Φέτες Σε Σιρόπι 340gr</p> | |
| <p>1,78 €/τεμ.</p> | 3,75 €/κιλό | <p>2,58 €/τεμ.</p> | 4,57 €/κιλό | <p>1,55 €/τεμ.</p> | 4,56 €/κιλό |
| 1 τεμ. | + | 1 τεμ. | + | 1 τεμ. | + |
| <p>Χρησιμοποιώντας αυτόν τον ιστότοπο συμφωνείτε με τη χρήση των cookies.</p> <p><input type="button" value="Συμφωνώ"/> <input type="button" value="Περισσότερα"/></p> | | | | | |

Appendix 10.4 - Greece Domestic Peach Prices (#4)

Category | e-Fresh.gr

https://www.e-fresh.gr/en/category/2?food_brand=6724

i Information about coronavirus

B2B | phone number 211-9901000



Home / Products

Position ▾

Filters

Brand:

Clear All

| | |
|---|---|
|  |  |
| Half peach compote in light syrup, Del Monte (825 g) | Fruit salad compote in syrup, Del Monte (420 g) |
| 0.58 ποντοι | 0.56 ποντοι |
| 2.12 € / kg | 3.98 € / kg |
| 1  | 1  |

Products 1 - 2 from total
2

1.75 €

1.67 €

Position ▾

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Appendix 10.4 - Greece Domestic Peach Prices (#5)

Peach compote, Zografos (800 g) | e-Fresh.gr

https://www.e-fresh.gr/en/kompostas-rodakino-zwgrafos-800-g

[Information about coronavirus](#)



To supermarket στην πόρτα σας

€9 B2B | ☎ phone number 211-8901000

[Log in / Register](#) [English](#)

[Home](#) / [Groceries](#) / [Food Cupboard](#) / [Cans](#) / [Stewed Fruit](#) / **[Peach compote, Zografos \(800 g\)](#)**

Peach compote, Zografos (800 g)

SKU - 410002006
2.85 € / kg
[Add a review](#)

0.76

With 30% fewer calories than the common compotes!
 containing fructose instead of sugar

2.28 €

1 [Add to Cart](#)

Product's quantity is not enough for you?

[f](#) [t](#) [G+](#) [@](#) [✉](#)

Description
ΣΕ ΕΛΑΦΡΥ ΣΥΡΟΠΗ ΦΡΟΥΚΤΟΣΩΜΗ Κικλοφορεί σε συνολικά 800 γραμ. Για σνακ ή και φυσική διατροφή. Παρέχει όλα τα πλεονεκτήματα της φρουκτόζης. Μπορεί να χρησιμοποιηθεί από διαβητικούς, στα πλαίσια δίαιτας και μετά από συμβουλή γιατρού. Δεν περιέχει συντηγητικά, ούτε τεχνητό άρωμα ή χρώμα.

Ingredients:
Peach, water, fructose, acidulant (citric acid), antioxidant (ascorbic acid).
Density syrup: 12%. Net weight: 800g. Drained weight: 465g.

Related links
[View all for: Groceries, Food Cupboard, Cans, Stewed Fruit](#)
[View all products: Ζωγράφος](#)

Supplier Information

Nutrition Facts

| | Avg 100 g |
|----------------------|------------------|
| Energy | 44 kcal / 185 kJ |
| Fat | 0.03 g |
| - of which saturated | 0.003 |
| Carbohydrates | 10 g |
| - of which sugars | 10 g |
| Proteins | 0.38 g |
| Salt | 0.003 g |

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[Read more](#) [I am informed, thank you](#)

[Product's quantity is not enough for you?](#)

Appendix 10.4 - Greece Domestic Peach Prices (#6)

Tinned Fruit

https://abconline.gr/en/1162-KONSERBES-FROYTON

ROOT HOME

| | | | | | | |
|---------------|-----------------|--------------------|------------|------|---------------------------|--------------|
| Food Cupboard | Fresh Food | Frozen Food/Drinks | All Drinks | Baby | Household & Entertainment | Holiday Shop |
| Free From | Health & Beauty | Special Offers | | | | |

Home → Tins and Jars → Tinned Fruit

TINNED FRUIT

FILTER BY There are 6 products. **SORT BY:** Relevance

| | | | | |
|-------------------------------|------------------------------------|--|--|--|
| | | | | |
| Del Monte Tinned Pineapple... | Del Monte Tinned Fruit... €2.50 | Del Monte Tinned Peaches 825g €2.45 | Del Monte Tinned Pineapple... €3.25 | Del Monte Tinned Peaches 420g €1.95 |

0 ITEM(S) IN YOUR CART

1 of 2

22/04/2020, 11:39 am

Appendix 10.4 - Greece Domestic Peach Prices (#7)

Αποτελέσματα Αναζήτησης Προϊόντος

<https://www.ab.gr/click2shop/search?q=ροδάκινο:relevance:firstLevel...>

Πραγματοποιήσατε αναζήτηση για: «Ροδάκινο»

Προϊόντα
Συνταγές

Εφαρμοσμένα φίλτρα

- Βασικά τυποποιημένα τρόφιμα
- Εκκαθάριση όλων

Βασικά τυποποιημένα τρόφιμα

- Κονσέρβες (7)

ΙΔΙΩΤΙΚΗΣ ΕΤΙΚΕΤΑΣ ^

- ΝΑΙ (3)

ΜΑΡΚΑ ^

- 365 (1)
- DEL MONTE (2)
- AB (2)
- ΖΩΓΡΑΦΟΣ (1)
- ΚΥΚΝΟΣ (1)

ΤΙΜΗ ^

- Από 0€ έως 5€ (7)

7 αποτελέσματα για ροδάκινο

Ταξινόμηση κατά: **Σχετικές προσφορές**

Βιολογικά
Προσφορές
Προϊόντα Ιδιωτικής Ετικέτας

| | | |
|---|--|---|
|  ΚΥΚΝΟΣ ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΟ EXTR... 2,36 €/κιλ 825 γρ €1,95 Προσθήκη |  ΖΩΓΡΑΦΟΣ ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΟ ΜΕ ... 2,85 €/κιλ 800 γρ €2,28 Προσθήκη |  DEL MONTE ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΟ 420 ... 3,05 €/κιλ 420 γρ €1,28 Προσθήκη |
|  DEL MONTE ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΟ 825 ... 2,12 €/κιλ 825 γρ €1,75 Προσθήκη |  AB ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΑ ΜΙΣΑ... 1,64 €/κιλ 850 γρ €1,39 Προσθήκη |  AB ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΑ ΜΙΣΑ... 2,27 €/κιλ 410 γρ €0,93 Προσθήκη |
|  365 ΚΟΜΠΟΣΤΑ ΡΟΔΑΚΙΝΑ ΜΙΣΑ... 1,26 €/κιλ 820 γρ €1,03 Προσθήκη | | |

NON CONFIDENTIAL

Appendix 10.7 – Exchange Rates

| | NZD:Euro | | NZD:USD | | USD:Euro | |
|--------|----------|----------|---------|----------|----------|----------|
| Jan-19 | 0.5932 | | 0.6774 | | 0.8757 | |
| Feb-19 | 0.6022 | | 0.6837 | | 0.8809 | |
| Mar-19 | 0.6045 | | 0.6834 | | 0.8846 | |
| Apr-19 | 0.598 | | 0.6718 | | 0.8902 | |
| May-19 | 0.5868 | | 0.6567 | | 0.8935 | |
| Jun-19 | 0.5839 | | 0.6594 | | 0.8854 | |
| Jul-19 | 0.5953 | | 0.6682 | | 0.8909 | |
| Aug-19 | 0.5784 | | 0.644 | | 0.898 | |
| Sep-19 | 0.5753 | | 0.6339 | | 0.9075 | |
| Oct-19 | 0.5733 | | 0.6336 | | 0.9048 | |
| Nov-19 | 0.5784 | | 0.6395 | | 0.9043 | |
| Dec-19 | 0.5934 | 0.588558 | 0.659 | 0.659217 | 0.9005 | 0.893025 |
| Jan-20 | 0.596 | | 0.662 | | 0.9003 | |
| Feb-20 | 0.586 | 0.587442 | 0.6398 | | 0.9159 | |
| Mar-20 | 0.5464 | | 0.6049 | | 0.9034 | |
| Apr-20 | 0.5503 | | 0.5993 | | 0.918 | |