ZIMBABWEAN

GOVERNMENT GAZETTE

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General Notice 1787 of 2026 **COMPETITION ACT [CHAPTER 14:28]**

Notice of Initiation of a Safeguard Investigation into Increased Imports of Pasta Products into Zimbabwe

1. INTRODUCTION

The Competition and Tariff Commission ("the Commission") has received and accepted an application for remedial action in the form of a safeguard measure against increased imports of pasta products into Zimbabwe. The application was lodged by National Foods Limited ("the Applicant"), the sole known domestic producer of pasta products in Zimbabwe. The Applicant alleges that pasta products are being imported into Zimbabwe in such increased quantities, in absolute terms and relative to domestic production, and under such conditions as to cause serious injury to the domestic industry producing like or directly competitive products.

Following a preliminary assessment of the application and supporting evidence in accordance with section 11(1) of the Competition (Safeguards) (Investigation) Regulations, 2006 (Statutory Instrument 217 of 2006) ("the Safeguard Regulations"), the Commission considers that the application contains sufficient evidence to justify the initiation of a safeguard investigation. The preliminary assessment considered, inter alia, evidence concerning unforeseen developments, the effect of obligations incurred by Zimbabwe under GATT 1994, increased imports, serious injury to the domestic industry and a causal link between the increased imports and the alleged injury.

Accordingly, pursuant to section 12(1) of the Safeguard Regulations and Article 12 of the WTO Agreement on Safeguards, the Commission hereby gives notice of the initiation of a safeguard investigation into increased imports of pasta products into Zimbabwe.

2. THE APPLICANT

The application was lodged by National Foods Limited ("the Applicant"), which is currently the sole known domestic producer of pasta products in Zimbabwe. The Applicant commenced

domestic production of pasta products in February 2024. The Commission notes that, prior to commencing domestic production, the Applicant participated in the Zimbabwean pasta market through the importation of pasta products. The commencement of domestic production therefore represented a transition from importing to domestic manufacturing rather than the entry of the Applicant into the pasta market as a new participant.

Based on the information available to the Commission, the Applicant constitutes the domestic industry for purposes of this investigation within the meaning of section 3 of the Safeguard Regulations.

3. LEGAL AND PROCEDURAL FRAMEWORK

The investigation shall be conducted pursuant to the Competition Act [Chapter 14:28], the Safeguard Regulations, the WTO Agreement on Safeguards, and Article XIX of the General Agreement on Tariffs and Trade (GATT) 1994. In accordance with Section 12(1) of the Safeguard Regulations, publication of this notice marks the date of initiation of the investigation.

4. DESCRIPTION OF THE PRODUCT UNDER CONSIDERATION

The Product Under Consideration ("PUC") comprises imported pasta products falling within the following Harmonized System ("HS") tariff classifications:

HS Code	Product Description	DUTY: MFN	SDC	SADC General	COMESA	EU
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared					
1902.11.00	Uncooked pasta, not stuffed or otherwise prepared, containing eggs	40%	10%	0%	0%	0%
1902.19.00	Other	40%	10%	0%	0%	0%
1902.20.00	Stuffed pasta, whether or not cooked or otherwise prepared	40% or US$1.00/kg	40% or US$1.00/kg	0%	0%	0%
1902.30.00	Other pasta	40%	10%	0%	0%	0%

The PUC comprises pasta products imported into Zimbabwe under the above tariff classifications. The tariff classification is indicative of the scope of the PUC and does not, by itself, determine the scope of the product under investigation. The Competition and Tariff

Commission will examine the precise product scope during the investigation, including any issues concerning tariff classification, product characteristics and product coverage raised by interested parties.

5. DESCRIPTION OF THE DOMESTIC LIKE OR DIRECTLY COMPETITIVE PRODUCT

The domestic product consists of pasta products manufactured in Zimbabwe. The domestic and imported products are used for substantially similar purposes and compete in the Zimbabwean market through comparable channels of distribution, including wholesalers, retailers, supermarkets and other food outlets.

Based on the information available at initiation, the Commission considers that the imported and domestically produced pasta products have sufficiently similar physical characteristics, end uses, channels of distribution and consumer applications to warrant their treatment as like or directly competitive products for purposes of the investigation. The Commission will further examine the issue of like or directly competitive products during the investigation, taking into account submissions and evidence from interested parties.

6. PERIOD OF INVESTIGATION

For purposes of the preliminary assessment and initiation, the Commission considered the period of investigation from February 2024 to December 2025. The period commences in February 2024, when the Applicant commenced domestic production of pasta products, and extends to December 2025, being the latest period for which the relevant information was available at the time of initiation.

The Commission may examine information relating to periods outside the investigation period where such information is relevant to the assessment of trends, developments or other matters arising during the investigation.

7. COUNTRIES OF ORIGIN OF PRODUCT UNDER CONSIDERATION

The investigation will cover imports of the PUC from all countries and territories from which the product is imported into Zimbabwe. The principal countries exporting the PUC to Zimbabwe are Botswana, China, Egypt, Mozambique, Namibia and South Africa.

8. REASONS FOR THE INITIATION OF THE INVESTIGATION

The Commission's preliminary assessment indicates that the application contains sufficient evidence to warrant the initiation of a safeguard investigation into increased imports of the product under consideration, serious injury to the domestic industry and the causal link between the increased imports and the alleged injury.

8.1 Increase in Imports

Imports of the product under consideration remained at substantial levels following the commencement of domestic production and increased during the period under consideration.

Imports increased from approximately 49.5 million kg in 2024 to 58.1 million kg in 2025, representing an increase of approximately 17.4%.

The available evidence therefore provides a sufficient basis for the Commission to investigate whether imports have increased in such quantities, absolute and relative to domestic production, and under such conditions as to cause or threaten serious injury to the domestic industry, within the meaning of the Safeguard Regulations and the WTO Agreement on Safeguards.

8.2 Serious Injury

The Commission's preliminary assessment indicates deterioration in certain key indicators of the condition of the domestic industry during the period under consideration. In particular, the industry's financial performance deteriorated significantly, including a substantial increase in losses and a marked deterioration in its return on net assets. The domestic industry also continued to face significant import competition, with imported products accounting for approximately 87-88% of the domestic market during the period under consideration. The magnitude of imports relative to domestic production also remained substantial.

The Commission notes that some indicators, including production, sales, capacity utilisation, productivity and market share, showed improvement during the period under consideration. These developments are considered in the context of the commencement and subsequent expansion of domestic production during the period, including the Applicant's transition from primarily importing the product to domestic manufacture.

8.3 Price Effects

Imported pasta products were, on the basis of the preliminary price comparison undertaken by the Commission, priced below the domestic product, with observed price undercutting of up to 17.8%. The available evidence therefore provides a basis to investigate whether increased imports have resulted in price undercutting, price depression or price suppression in the domestic market.

The Commission will examine during the investigation the comparability of imported and domestically produced products, including differences in product mix, packaging, quality, branding and commercial levels, as well as other factors that may affect price comparisons.

9. UNFORESEEN DEVELOPMENTS

The Applicant submitted that changes in market and trade conditions contributed to the increased importation of pasta products into Zimbabwe.

The Commission's preliminary assessment identified a number of developments requiring further examination, including:

- changes in domestic consumption patterns and the increased use of pasta products as an affordable and convenient food;
- expansion of regional exports under preferential trade arrangements;

- changes in regional trade conditions; and
- possible trade diversion effects arising from trade measures applied in other markets.

The Commission considers that the information available at this stage provides a sufficient basis to investigate whether the identified developments constitute unforeseen developments within the meaning of Article XIX of GATT 1994 and the Safeguard Regulations, and whether such developments, together with the effect of obligations incurred by Zimbabwe under GATT 1994, contributed to the increase in imports.

10. CAUSATION

The Commission's preliminary assessment indicates that the deterioration in the financial performance of the domestic industry occurred concurrently with increased imports and continued import dominance in the domestic market. Imports increased by 17.4% between 2024 and 2025, with import volumes remaining substantially higher than domestic production throughout the period under review. Imports increased from 6.7 times domestic production in 2024 to 7.0 times domestic production in 2025. Imported products also accounted for 88% of the domestic market in 2024 and 87% in 2025, while average import prices remained below the Applicant's domestic selling price.

The Commission therefore considers that the available evidence provides sufficient basis to investigate whether increased imports have caused or are threatening to cause serious injury to the domestic industry. The Commission recognises that factors other than increased imports may have contributed to the condition of the domestic industry. In particular, the Applicant commenced domestic manufacturing in February 2024 and may have incurred start-up, establishment and expansion costs associated with the transition from importing to domestic production.

The Commission will therefore examine all known factors affecting the domestic industry and will ensure that injury caused by factors other than increased imports is not attributed to increased imports.

11. CONSIDERATION OF A PROVISIONAL SAFEGUARD MEASURE

The Applicant has requested that a provisional safeguard measure be considered. The Commission has preliminarily identified increased imports, continued high import penetration, adverse price effects and deterioration in the financial condition of the domestic industry as matters warranting further examination.

Accordingly, pursuant to section 13(1)(i) of the Safeguard Regulations and Article 6 of the WTO Agreement on Safeguards, the Commission is considering whether critical circumstances exist in which delay in taking a safeguard measure would cause damage that would be difficult to repair and whether there is sufficient preliminary evidence that increased imports are causing or threatening to cause serious injury to the domestic industry.

The Commission shall consider and determine the application for a provisional safeguard measure in accordance with the applicable statutory timeframes. Where the Commission

proceeds to consider a provisional measure, the Commission will undertake the applicable preliminary process and determine the appropriate form and level of any such measure in accordance with the Safeguard Regulations and the WTO Agreement on Safeguards.

Where the Commission proceeds to consider a provisional safeguard measure, it shall make a determination in accordance with section 21 of the Safeguard Regulations. In accordance with Section 17(2) of the Safeguard Regulations, interested parties participating in the investigation may submit written arguments and supporting evidence on matters relevant to the preliminary phase of the investigation and the consideration of a provisional safeguard measure. Such submissions must be received by the Commission no later than 14 days before the proposed date of determination on the provisional safeguard measure. The Commission will notify participating interested parties of the proposed determination date and the corresponding deadline for submissions in accordance with the Safeguard Regulations.

12. DURATION OF INVESTIGATION

The investigation shall, in accordance with section 14 of the Safeguard Regulations, be completed within six months from the date of initiation and may be extended only once for a further period of two months.

13. WRITTEN ARGUMENTS

Pursuant to section 17 of the Safeguard Regulations, all participating interested parties shall have the opportunity to submit written evidence, arguments and responses to submissions made by other interested parties, including views on whether the application of a safeguard measure would be in the public interest.

Where no hearing is requested, parties may file written arguments on any relevant matter no later than 45 days before the final determination on serious injury or threat thereof and causation. Additionally, parties shall have a further 10 days after this deadline to submit rebuttals to other parties' arguments.

In instances where a hearing is held, written arguments and supporting information must be submitted at least 10 days before the hearing date. Following the hearing, participating parties may file supplementary written responses within 10 days to address issues raised during the proceedings.

Where the Commission considers a provisional safeguard measure, interested parties participating in the investigation may submit written arguments on matters relevant to the preliminary phase of the investigation in accordance with section 17(2) of the Safeguard Regulations.

14. CONFIDENTIAL INFORMATION

Where an interested party considers any information to be confidential, a non-confidential version of the information must be submitted for the public file, together with the confidential version pursuant to Section 16 of the Safeguard Regulations. Any information which is by nature confidential or which is provided on a confidential basis shall, upon cause shown, be

treated as such by the Commission and such information shall not be disclosed without the consent of the entity which provided the information. In submitting a non-confidential version, the following rules are strictly applicable, and parties must indicate:

- where confidential information has been omitted and the nature of such information;
- reasons for such confidentiality;
- a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- in exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.

These rules apply to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file, and be made available to other interested parties. Unless information is properly designated as confidential and accompanied by the required non-confidential version, submissions to the Commission may be placed on the public file and made available to other interested parties.

The Commission may use indexed figures, ranges, summarised information or other non-confidential presentations where necessary to protect legitimately confidential business information while ensuring that interested parties are able to understand the substance of the evidence relied upon.

15. INTERESTED PARTIES

In accordance with Section 12(2) of the Safeguards Regulations, interested parties desiring to participate in the investigation are invited to indicate to the Commission, in writing, of their interest to participate in the investigation, within 30 days from the date of initiation of this investigation. In accordance with section 12(2) of the Safeguard Regulations, interested parties may include, among others:

- domestic producers of the like or directly competitive product;
- exporters and foreign producers of the product under consideration;
- importers of the product under consideration;
- governments of exporting countries;
- trade associations representing producers, exporters or importers; and
- other persons or organisations demonstrating a substantial interest in the investigation.

A non-confidential version of the application is available for inspection by interested parties at the Commission's offices and access is by appointment. Interested parties may submit written evidence and arguments in accordance with the deadlines specified in this notice and subsequently communicated by the Commission. Late submissions will not be accepted without the Commission's permission.

16. HEARINGS

According to section 18 of the Safeguard Regulations, participating interested parties may request an oral hearing within 15 days after publication of a provisional measure determination, or within 45 days of the initiation of the investigation, if no provisional measure is considered, pursuant to section 18 of the Safeguard Regulations. Any scheduled hearing must be conducted no less than 60 days prior to the final determination regarding serious injury or threat thereof. Participation in hearings is voluntary, and a party's absence shall not adversely affect its case. The Commission will make reasonable accommodations to ensure the convenience of participating parties.

Parties intending to participate must notify the Commission at least 7 days before the hearing, providing the names of their representatives and witnesses, together with a detailed agenda and a detailed version, including a non-confidential version, of the information to be discussed at the oral hearing at the time of the request. Hearings will be presided over by the Commission, which shall ensure confidentiality is maintained, while allowing all parties adequate opportunity to present their views. A formal record of each hearing will be maintained and promptly placed in the public file, with due regard for the protection of confidential information. These procedures are designed to uphold principles of fairness and transparency throughout the investigation process.

The Commission may refuse an oral hearing if granting such hearing will unduly delay the finalisation of the investigation. Enquiries may be directed to the Commission on telephone +263 8677700800.

17. PUBLIC FILE AND ACCESS TO INFORMATION

A non-confidential version of the application and other non-confidential information submitted during the investigation will be made available to participating interested parties in accordance with the Safeguard Regulations. Interested parties may inspect the public file at the Commission's offices by appointment.

18. DATE OF INITIATION

The date of initiation is the date of publication of the notice regarding initiation of the safeguard investigation.

19. SERVICE

All communication, requests, comments and correspondences regarding the investigation, must be submitted to:

The Director
Competition and Tariff Commission
23 Broadlands Road
Emerald Hill
Harare

Zimbabwe
Email: traderemedies@competition.co.zw