IMPORTER QUESTIONNAIRE

ANTI-CIRCUMVENTION INQUIRY NO. 552

**ALLEGED SLIGHT MODIFICATION OF A4 COPY PAPER EXPORTED TO AUSTRALIA FROM THE PEOPLE’S REPUBLIC OF CHINA**

This questionnaire seeks information in relation to your imports and sales of certain A4 copy paper (the goods), and A4 copy paper with a weight of 68 grams per square metre (the circumvention goods), exported to Australia from the People’s Republic of China (China).

This information will assist in determining whether a circumvention activity in the form of a slight modification of goods has occurred in relation to A4 copy paper exported to Australia from China.

Anti-Dumping Notice No. 2020/045 provides details of the goods the subject of the inquiry and inquiry procedures.

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| --- | --- | --- |
| **Part A**  | **Company and overseas supplier information** | **Return as quickly as possible but no later than 5 May 2020** |
| **Part B** | **Imports and forward orders** | **Return as soon as possible after receiving the Commission’s detailed spreadsheets but no later than 19 May 2020** |
| **Part C** | **Sales and expenses** |

The timeliness of your response is important. The Commissioner of the Anti-Dumping must consider the direction from the Minister as set out in the *Customs (Extensions of Time and Non-cooperation) Direction 2015* (the Direction). More details on this direction are explained in Anti-Dumping Notice No. 2015/129, available on the Commission’s website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

**Return E-mail**: investigations2@adcommission.gov.au

# Goods subject to Anti-dumping measures

**Original notices**

The anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice, were initially imposed on 19 April 2017 by the relevant Minister after consideration of *Anti-Dumping Commission Report No. 341* (REP 341).[[1]](#footnote-2) The dumping duty notice applies to all exporters of A4 copy paper from the subject countries except PT. Pabrik Kertas Tjiwi Kimia Tbk, whereas the countervailing duty notice applies to all exporters of A4 copy paper from China except Asia Symbol (Guangdong) Paper Co., Ltd and Greenpoint Global Trading (Macao Commercial Offshore) Ltd, and UPM (China) Co., Ltd and UPM Asia Pacific Pte Ltd.

**The goods the subject of the notices**

The goods the subject of the original notices are:

uncoated white paper of a type used for writing, printing or other graphic purposes, in the nominal basis weight range of 70 to 100 gsm [grams per square metre] and cut to sheets of metric size A4 (210 mm x 297 mm) (also commonly referred to as cut sheet paper, copy paper, office paper or laser paper).

The applicant at the time of the original investigation supplied the following additional information to clarify the scope of the goods description:

The paper is not coated, watermarked or embossed and is subjectively white. It is made mainly from bleached chemical pulp and/or from pulp obtained by a mechanical or chemi-mechanical process and/or from recycled pulp.

The goods are generally, but not exclusively, classified to the following tariff subheadings in Schedule 3 to the *Customs Tariff Act 1995*.

|  |  |  |
| --- | --- | --- |
| **Tariff Subheading** | **Statistical Code** | **Description** |
| 4802 | UNCOATED PAPER AND PAPERBOARD, OF A KIND USED FOR WRITING, PRINTING OR OTHER GRAPHIC PURPOSES, AND NON PERFORATED PUNCH-CARDS AND PUNCH TAPE PAPER, IN ROLLS OR RECTANGULAR (INCLUDING SQUARE) SHEETS, OF ANY SIZE, OTHER THAN PAPER OF 4801 OR 4803; HAND-MADE PAPER AND PAPERBOARD: |
| 4802.56 | Weighing 40 g/m2 or more but not more than 150 g/m2, in sheets with one side not exceeding 435 mm and the other side not exceeding 297 mm, in the unfolded state: |
| 4802.56.10 | *Printing and writing paper, 297 mm x 210 mm (A4 paper): Weighing 40 g/m2 or more but less than 90 g/m2:* |
| 03 | *White* |
| 09 | *Weighing 90 g/m2 or more but not more than 150 g/m2* |

# Goods subject to the inqUiry (the circumventioN goods)

The goods subject to the anti-circumvention inquiry (the circumvention goods) are described as having a weight of 68 grams per square metre (gsm).

The circumvention goods are allegedly being imported into Australia from China under tariff subheading 4802.56.10, statistical code 03, of Schedule 3 to the *Customs Tariff Act 1995*.

# Part A Company and overseas supplier information

## A.1 Your company

|  |  |
| --- | --- |
| Company Name |  |
| ABN: |  |
| Contact name: |  |
| Position: |  |
| Mailing address: |  |
|  |  |
|  |  |
|  |  |
|  |  |
| Telephone: |  |
| Facsimile: |  |
| E-mail address: |  |

Provide details on the ownership of your company and major shareholders:

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Describe the role of your company in the Australian market for A4 copy paper – for example, buying or selling agent, importer/distributor, importer/wholesaler, importer/retailer or importer/end-user.

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At what level of trade is each of your customers – for example, distributor, wholesaler, retailer or end-user?

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| --- | --- |
| **Customer** | **Level of trade** |
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## A.2 Your overseas supplier(s) of the goods and the alleged circumvention goods

Please complete the below information for each of your overseas suppliers of the goods and the circumvention goods (using a new box for each supplier).

If you source the goods or circumvention goods from a country other than the country and exporters (suppliers) subject to the review, please provide details of the supplier(s) of this A4 copy paper (using a new box for each supplier).

|  |  |
| --- | --- |
| Commodity:  | A4 copy paper |
| Supplier name: |  |
| Is the supplier the manufacturer?If ‘no’, please also answer question A.3 in relation to this supplier. |  |
| Weight of paper (in grams per square metre (gsm) supplied: |  |
| Country of origin: |  |
| Contact name: |  |
| Position: |  |
| Mailing address: |  |
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|  |
| Telephone: |  |
| Facsimile: |  |
| E-mail address: |  |

## A.3 Overseas manufacturer(s) of the goods and the alleged circumvention goods

If the supplier(s) listed in your response to question A.2 above is not the manufacturer of the A4 copy paper supplied, please complete the below for each manufacturer of the A4 copy paper supplied (using a new box for each supplier).

|  |  |
| --- | --- |
| Commodity:  | A4 copy paper |
| Supplier name (from A.2): |  |
| Manufacturer name: |  |
| Country of origin: |  |
| Manufacturer contact name: |  |
| Position: |  |
| Mailing address: |  |
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|  |
| Telephone: |  |
| Facsimile: |  |
| E-mail address: |  |

## A.4 Timing of proposed visit by the Commission

On 20 March 2020, the Commission published Anti-Dumping Notice No. 2020/029,[[2]](#footnote-3) advising that onsite verification activities have been temporarily suspended until further notice as a result of the COVID-19 pandemic.

The Commission remains committed to ensuring that data submitted by parties is complete, relevant and accurate. If an onsite visit is not possible, the Commission may elect to undertake alternative verification activities. This includes but is not limited to remote verification, desktop assessments or delaying verification activities until such time as onsite verification is possible. The Commission will continue to monitor current events and assess when the suspension of onsite importer verification activities can be lifted.

# Part BImports and forward orders

Please complete this part after the Commission has provided you with your detailed spreadsheets of imports, and return this part, along with your response to Parts C & D no later than 19 May 2020.

To assist with the identification of imports of the goods and the circumvention goods, the Commission will provide you with spreadsheets of your imports of A4 copy paper from 1 January 2015.

Within this spreadsheet, you will be required to identify all the circumvention goods. Please note that you cannot complete this part of the questionnaire until the Commission provides you with the list of your imports. The Commission will provide this list to you after receiving your response to Part A of the questionnaire.

## B.3 Forward orders

Please complete the Part B – Forward Orders spreadsheet within the “A4 copy paper Importer Questionnaire Spreadsheets” workbook. The completed spreadsheet should be returned as part of the Part B response, along with details of your selected import consignments as discussed in B.1 above.

# Part C Sales

Please return your responses to Part C along with your response to Parts B & D no later than 19 May 2020.

## C.1 Your sales

Please provide details of all your sales of A4 copy paper, including the circumvention goods, in the Australian market from 1 January 2019 to 31 December 2019.

If possible, and where appropriate, the following data should be provided in Microsoft Excel format (a suggested spreadsheet Part C – Sales is provided within the “A4 copy paper Importer Questionnaire Spreadsheets” workbook).

Please include:

* customer name;
* customer level of trade (distributor, end user etc.);
* customer’s location (state/territory, city);
* weight of goods (in gsm);
* invoice number;
* invoice date;
* delivery terms (e.g. free into store, ex-warehouse);
* payment terms (including number of days);
* product code;
* product description;
* quantity (including unit of quantity);
* packaging type;
* total invoice value;
* unit invoice price;
* off invoice discount/rebate amount (if applicable, list each type of discount/rebate individually);
* net unit sales price;
* your supplier of the goods;
* purchase order number to supplier; and
* country of origin.

# PART D THe GOODS AND THE circumvention goods

Please return your response to Part D along with your response to Parts B & C no later than 19 May 2020.

## D.1 Ordering process

1. When did you first commence importing the alleged circumvention goods into Australia?
2. Fully describe the ordering and purchase process from your overseas suppliers, from market offer through to invoicing, delivery and payment.
3. Does the process described above differ in any way between the goods and the alleged circumvention goods? Provide details.
4. Are the alleged circumvention goods that you imported into Australia during the inquiry period part of your supplier or suppliers’ standard product offering to Australia, or are they only available in special circumstances (e.g. through special order, to certain customers etc.)? Please provide details.
5. Are the alleged circumvention goods purchased in accordance with a supply agreement or contract? If so, please provide a copy of this supply agreement/contract.
6. Do you (or did you initially) specifically request the alleged circumvention goods?
7. What is the minimum order quantity from your supplier of the goods and the alleged circumvention goods?

## D.2 Purchase price

1. Is there a difference in purchase price from your supplier/s between the goods and the alleged circumvention goods, assuming all other factors of the sale were the same (e.g. order quantity, product characteristics, credit terms etc.). Provide details.

If the answer to the above is yes, quantify the price difference for each year of the inquiry period from 1 January 2015. Provide any documents that support this price difference (e.g. price lists, comparable invoices, etc).

## D.3 Supplier relationships

1. If your company ‘shifted’ from importing the goods to the alleged circumvention goods during the inquiry period, answer the following questions:

1. Which supplier(s) were supplying you the goods prior to shifting to imports of the circumvention goods?
2. What was the reason for this shift in imports?
3. What was this shift in response to?

## D.4 End use applications

1. After importing the alleged circumvention goods, explain the subsequent sales and distribution channel within the Australian market. For example, do you on-sell the products to other Australian entities for their use/consumption, or for their further on-sale?
2. In general, are there any specific purpose(s) and/or end use(s) that the alleged circumvention goods you import are suitable for that the goods are not suitable for? Provide specific product details and supporting evidence where possible.
3. Are there any purpose(s) and/or end use(s) that the goods and the circumvention goods can be used interchangeably for?
4. What standards/specifications are the goods and the alleged circumvention goods manufactured to? What are the relevant tolerances that apply to the manufacture of the products?
5. If you are importing both the goods and the alleged circumvention goods, explain why you are importing a mix of these products to Australia.
6. If your company on-sells the circumvention goods to other parties within the Australian market, please refer to questions at sections D.5 and D.6 below.

## D.5 Selling price in the Australian market

1. Is there a difference in selling price between the goods and the alleged circumvention goods to your Australian customer/s, assuming all other factors of the sale were the same (e.g. order quantity, product characteristics, credit terms etc.). Provide details.

If the answer to the above is yes, quantify the price difference for each year of the inquiry period from 1 January 2015. Provide any documents that support this price difference (e.g. price lists, comparable invoices, etc.).

## D.6 General questions

1. If your customer(s) changed their preference from purchasing the goods to the circumvention goods, please indicate what factors may have contributed to this, e.g. price, end use, quality, any other factors etc.
2. Do you sell the alleged circumvention goods to your customer/s in the Australian market in accordance with a supply agreement or contract? If so, please provide a copy of this supply agreement/contract.
3. Is the weight in gsm of the goods that you supply to your Australian customers described on any of the commercial or other documentation associated with that sale, including your offer for sale to your Australian customers? If so, please provide documentary evidence of this (invoice, purchase order, offer for sale, etc.).
4. How are the goods and the alleged circumvention goods marketed in the Australian market? In your response, address the following:
	1. the applications and end uses that the goods and the alleged circumvention goods are marketed for;
	2. the type of customers (end users, retailers etc.) the marketing of the goods and the alleged circumvention goods is targeted at;
	3. whether the goods and the alleged circumvention goods are marketed as proprietary/private label brands (whether they be the customer’s or manufacturer’s) or generic brands;
	4. the advertising and marketing costs incurred in respect of the goods and the alleged circumvention goods.

# Checklist

* Return by **5 May 2020**
* Part A response
	+ Your company’s details
	+ Your supplier’s details
* Return by **19 May 2020**
* Part B response
	+ List of your imports
	+ Information on forward orders
* Part C response
	+ Spreadsheet listing sales
* Part D response
1. Anti-Dumping Notice (ADN) Nos. [2017/39](https://www.industry.gov.au/sites/default/files/adc/public-record/223_-_notice_-_adn_2017-39_-_findings_in_relation_to_a_dumping_investigation.pdf) and [2017/40](https://www.industry.gov.au/sites/default/files/adc/public-record/224_-_notice_-_adn_2017-40_-_findings_in_relation_to_a_subsidy_investigation.pdf) refer. [↑](#footnote-ref-2)
2. <https://www.industry.gov.au/sites/default/files/adc/public-record/notice_adn_-_adn_2020-029_-temporary_suspension_of_international_onsite_verification_0.pdf> [↑](#footnote-ref-3)