



**Australian Government**  
**Anti-Dumping Commission**

Application for a  
review of  
anti-dumping measures

**PUBLIC RECORD**

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APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901*  
FOR A REVIEW OF ANTI-DUMPING MEASURES

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In accordance with section 269ZA of the *Customs Act 1901*, I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

Aluminum zinc coated steel exported from the Republic of Korea (“aluminium zinc coated steel”)

1.



**revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:



normal value



export price



non injurious price



subsidy

The variable factors review is in relation to:



a particular exporter (*if so provide name and country details*)

Dongbu Steel Co., Ltd of Republic of Korea



exporters generally

**or**

2.



**revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:



the dumping duty notice



the countervailing duty notice



the undertaking

The revocation review is in relation to:



a particular exporter (*if so provide name and country details*)



exporters generally

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### NOTE

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

### DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:



Name:

Mr Keun-Chae, Na

Position:

Head of Legal Affairs

Company:

Dongbu Steel Co., Ltd

ABN:

Not applicable

Date:

September 30, 2014

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### Signature requirements

Where the application is made:

*By a company* - the application must be signed by a director, servant or agent acting with the authority of the body corporate.

*By a joint venture* - a director, servant, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.

*On behalf of a trust* - a trustee of the trust must sign the application.

*By a sole trader* - the sole trader must sign the application.

*In any other case* - contact the Commission's client support section for advice.

### Assistance with the application

The Anti-Dumping Commission has published guidelines to assist applicants with the completion of this application. Please refer to the '*Instructions and Guidelines for applicants: Application for review or revocation of measures*' on the Commission's website.

The Commission's client support section can provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:

**Phone:** 1300 884 159 or +61 2 6275 6066 (outside Australia)

**Fax:** 1300 882 506 or +61 2 6275 6888 (outside Australia)

**Email:** [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au)

Other information is available from the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Small and medium enterprises (i.e., those with up to 200 employees) may obtain assistance, at no charge, from the International Trade Remedies Adviser, employed by Australian Industry Group and funded by the Australian government. To access this service, visit [www.aigroup.com.au/traderemedies](http://www.aigroup.com.au/traderemedies) or telephone (03) 9867 0267.

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### Required information

1. Provide details of the name, street and postal address, of the applicant seeking the continuation.

**Company Name:** Dongbu Steel Co., Ltd. ("Dongbu")  
**Address:** Dongbu Financial Center  
891-10 Daechi-dong  
Gangnam-gu  
Korea  
**Website:** [www.dongbusteel.co.kr](http://www.dongbusteel.co.kr)  
(Although the form states "continuation", this is a request for a review.)

2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.

**Contact person:** Mr. Keun-Chae, Na  
**Position:** Head of Legal Affairs  
**Telephone no:** +82 2 3450 8283  
**Facsimile no:** +82 2 3450 8082  
**Email address:** [sword@dongbu.com](mailto:sword@dongbu.com)

3. Name other parties supporting this application.

**This application for review is supported by the following interested parties who are involved in the importation of the goods concerned from the applicant into Australia:**  
**[CONFIDENTIAL TEXT DELETED – names of parties involved in commercial arrangements with Dongbu relating to the exportation of the subject goods to Australia]**

4. Describe your interest as an affected party (eg are you concerned with the exportation of the goods, the importation of the goods, or part of the Australian industry, or acting on behalf of the Government of an exporting country).

**Dongbu is an exporter of aluminium zinc coated steel to Australia.**

5. Provide details of the current anti-dumping measure(s) the subject of this review application, including:

- tariff classification

**Aluminium zinc coated steel is classified to tariff subheading 7210.61.00 (and statistical codes 60, 61, and 62) of Schedule 3 to the *Customs Tariff Act* 1995.**  
**The general rate of duty is currently 5% for goods imported under this tariff subheading. Imports from China are subject to the DCS duty rate which is free. Imports from Korea are subject to the DCT duty rate which is 5%.**

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- the countries or companies

**This application applies to aluminium zinc coated steel exported to Australia by Dongbu.**

**The countries that are subject to the dumping measures concerned are:**

- China; and
- Korea.

**The named companies subject to the dumping measures in relation to China are:**

- Angang Steel Co., Ltd;
- Union Steel China Co., Ltd;
- Yieh Phui (China) Technomaterial Co., Ltd; and
- Jiangyin Zong Cheng Steel Co., Ltd.

**The only named company subject to the dumping measures in relation to Korea is Dongbu Steel Co., Ltd.**

**The measures also apply to all other exporters from China and Korea (except Union Steel Co., Ltd of Korea).**

- specified date of publication of the measure

**5 August 2013**

6. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters and/or users.

**The Australian manufacturer of aluminium zinc coated steel is BlueScope Steel Limited. The address and telephone and facsimile numbers of BlueScope are as follows:**

**Five Islands Road  
Port Kembla  
New South Wales 2500  
Australia**

**Telephone: +61 2 4275 3859  
Facsimile: +61 2 4275 7810**

**There are numerous other parties who are likely to have an interest in this matter, in the sense that is understood by the definition of “*interested parties*” under the relevant provision of the *Customs Act 1901*.**

**For an indication of these parties, and their addresses and telephone and facsimile numbers, please refer to the names of the interested parties that participated in the original investigation concerning aluminium zinc coated steel from China. Korea and Taiwan at this webpage:  
[http://www.adcommission.gov.au/cases/Current\\_Cases\\_EPR\\_190.asp](http://www.adcommission.gov.au/cases/Current_Cases_EPR_190.asp)**

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### Applications for review of variable factors

If you are applying for a variable factors review (in box 1 above) provide a detailed statement setting out your reasons. Include information about:

- the factor(s) you wish to have reviewed;

Dongbu wishes to have the export price and non-injurious price variable factors that presently apply to it under the relevant Notice reviewed.

- the amount by which that factor is likely to have changed since anti-dumping measures were last imposed, and evidence in support; and

#### 1 Export price (“ascertained export price”)

The export price as is presently being applied to Dongbu’s exports is based on data which is now almost three years old. Dongbu submits that the export price has changed and requests that it should be updated to reflect the more recent market situation.

Dongbu’s export price has increased since the period of investigation in which its ascertained export price was originally determined. The amount by which the export price has changed is anticipated to be in the region of [CONFIDENTIAL TEXT DELETED – number] %. In this regard, please see Attachments 1, 2 and 3 to this application.

In Attachment 1 [CONFIDENTIAL ATTACHMENT], Dongbu has provided two commercial invoices in relation to aluminium zinc coated steel it has exported to Australia. The invoices relate to the same product sold to the same customer.

One of the invoices is dated during the original investigation period. It shows an export invoice price of USD [CONFIDENTIAL TEXT DELETED – number] per MT. The other invoice was issued on a more recent date (ie earlier this year and well after the measures were imposed). It shows an export invoice price of USD [CONFIDENTIAL TEXT DELETED – number] per MT.

The more recent price is approximately [CONFIDENTIAL TEXT DELETED – number] % higher than the investigation period price.

Attachment 2 [CONFIDENTIAL ATTACHMENT] sets out the average prices of the different types of aluminium zinc coated steel exported to Australia by Dongbu during the POI in the original investigation.

Attachment 3 [CONFIDENTIAL ATTACHMENT] shows the product characteristics and codes that have been used to define the different types.

There are many different variants of aluminium zinc coated steel, with each being sold at different prices (based on individual product characteristics) and in different volumes. Therefore, the ascertained export price in the period since the measures were imposed clearly will be different from the level presently specified under the relevant Notice that applies in respect of Dongbu’s exports.

Another reason to accept that there have been changes to the variable factor is that there have been a number of exemptions granted to certain kinds of aluminium zinc coated steel, meaning that they are no longer subject to the measures. It is submitted that the ascertained export price should be updated so as to exclude export prices in respect of goods which have been exempted and to which the measures no longer apply.

Accordingly, it is submitted that this variable factor has changed and that

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it should be reviewed pursuant to this application.

### 2 Non-injurious price

After the publication of the relevant Notice applying to Dongbu's exports of aluminium zinc coated steel from Korea, Dongbu's expectation was that the domestic price in Australia would increase. However this has not occurred as Dongbu expected.

Accordingly, it is considered that the price that the Australian industry could achieve in the absence of dumped imports is not as high as presently specified under the Notice in respect of Dongbu. This could be due to the importation into Australia of aluminium zinc coated steel at prices lower than Dongbu's export price level, or because of other factors, such as lower costs of the Australian industry.

In this regard, please see the following information:

- Attachment 4 - this shows that the average price of hot-dipped galvanised coil in the Asian market during the period from June 2013 to May 2014 was USD784;
- Attachment 5 [CONFIDENTIAL ATTACHMENT] – a copy of an email Dongbu has received from one of its Australian customers, indicating an Australian domestic market price of USD [CONFIDENTIAL TEXT DELETED - number], and imported prices from other countries ranging from USD [CONFIDENTIAL TEXT DELETED - number] to USD [CONFIDENTIAL TEXT DELETED - number]; and
- Attachment 6 - a copy of the relevant extract from the Australian Customs and Border Protection Service Consideration Report No 190, showing the average export price claimed at that time for aluminium zinc coated steel which, when applying the September 2014 exchange rate of 0.9184, is equal to USD787.

This information indicates that the price which should be considered to be non-injurious to the Australian industry in dumping terms has reduced.

- in your opinion the cause of the change and whether these causes are likely to persist.

In Dongbu's opinion, the cause of the changes are as follows:

- in relation to export price – Dongbu's higher export invoice prices since the export price that were used to determine the ascertained export price for the purposes of the relevant Notice; and
- in relation to the non-injurious price – competition in the Australian market from exports of aluminium zinc coated steel from *companies* in the countries subject to the Notice that are not *companies* that are subject to the measures, and imports from *countries* that are not subject to the Notice, and/or lower costs and prices of the Australian industry.

If you are applying for a revocation review (in box 2 above), provide a detailed statement setting out your reasons.

Include evidence in support of your view that there are reasonable grounds for asserting that the measures are no longer warranted. Refer to the "Guidelines for Preparing an Application for Review of Measures" as part of preparing your response. If you consider anti-dumping measures are no longer warranted



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because of:

- *no dumping or no subsidisation*: provide evidence that there is no dumping, or no subsidy, and why dumping or subsidisation is unlikely to recur if measures were revoked.
- *no injury*: provide evidence that there is no current injury, and there is unlikely to be a recurrence of injury if the measures were to be revoked.

**Not applicable.**

### Lodgement of the application

This application, together with the supporting evidence, should be lodged with:

The National Manager – Operations  
Anti-Dumping Commission  
Customs House  
1010 Latrobe St  
Docklands VIC 3008

or

Sent by facsimile to **1300 882 506**  
or **+61 2 6275 6888 (outside Australia)**

### Public Record

During an investigation all interested parties are given the opportunity to defend their interests, by making a submission. The Commission maintains a public record of these submissions. The public record is available on the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

At the time of making the application both a confidential version (for official use only) and non-confidential version (public record) of the application must be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence, clearly showing the reasons for seeking the review, or, if those reasons cannot be summarised, a statement of reasons why summarisation is not possible. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.

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**LIST OF ATTACHMENTS**

No.	Subject matter	Status
1	Example invoices for sales of Dongbu aluminium zinc coated steel to Australia	CONFIDENTIAL
2	Dongbu average export prices to Australia – aluminium zinc coated steel for POI of the original investigation (July 2011 to June 2012)	CONFIDENTIAL
3	Product Control Number (PCN) Index Table	CONFIDENTIAL
4	Asia steel price evidence	NON-CONFIDENTIAL
5	Information about current Australian market prices	CONFIDENTIAL
6	Average export prices claimed by BlueScope Steel for aluminium zinc coated steel as reported in Australian Customs and Border Protection Service Consideration report 190, page 31	NON-CONFIDENTIAL

These Attachments are provided in the separate electronic files that have been lodged together with and form part of this application.

## ASIA STEEL PRICES - WITH INDIVIDUAL PRODUCT FORECASTS

Month	Hot Rolled Coil	Hot Rolled Plate	Cold Rolled Coil	Hot Dipped Galvanised Coil	Electro-zinc Coil	Wire Rod (Mesh)	Structural Sections and Beams	Rebar	Merchant Bar
Jun-2013	568	615	673	778	807	583	677	545	624
Jul-2013	561	603	667	772	795	581	667	542	613
Aug-2013	568	607	675	776	793	586	677	551	622
Sep-2013	581	617	672	781	787	603	684	568	635
Oct-2013	593	629	678	805	816	610	691	568	646
Nov-2013	591	625	679	795	815	608	688	577	646
Dec-2013	583	623	670	786	806	611	686	582	643
Jan-2014	579	632	666	783	801	608	679	571	643
Feb-2014	576	634	664	780	799	602	678	565	637
Mar-2014	579	633	663	783	801	599	678	559	636
Apr-2014	574	633	656	778	800	598	670	560	632
May-2014	579	638	661	787	811	601	674	560	637
Jun-2014	JUNE & JULY & AUGUST STEEL PRICES ARE NOW AVAILABLE TO BUY. 165 <u>Buy</u>								
Jul-2014									
Aug-2014									
Sep-2014	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>	One year forecast updated monthly for only GBP 330 <u>Buy</u>
Oct-2014									
Nov-2014									
Dec-2014									
Jan-2015									
Feb-2015									
Mar-2015									
Apr-2015									
May-2015									
Jun-2015									
Jul-2015									
Aug-2015									

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discrepancies between Customs and Border Protection's import data and the ISSB export data, due to timing differences.

BlueScope stated that the terms of the ISSB export prices were free-on-board (FOB).

### 7.3.1 Galvanised steel - BlueScope's claims

BlueScope calculated monthly and quarterly FOB prices and export volumes for galvanised steel exported from China, Korea and Taiwan for 2011-12 to determine dumping margins for exports from each of the nominated countries.

Quarterly and annual ISSB export prices for galvanised steel are summarised in the following table (Customs and Border Protection calculated 2011-12 annual export prices using the data provided by BlueScope).

Country	Sep Quarter 2011 (AUD#)	Dec quarter 2011 (AUD)	Mar quarter 2012 (AUD)	Jun quarter 2012 (AUD)	2011-12 (AUD)
China*	\$874	\$907	\$784	\$815	\$836
Korea**	\$861	\$908	\$794	\$854	\$852
Taiwan**	\$866	\$884	\$783	\$856	\$845

# AUD – Australian dollars.

\* The weighted average export prices do not include data for June 2012.

\*\* The weighted average export prices do not include data for May and June 2012.

Figure 5: ISSB export prices for galvanised steel provided in the application – 2011-12

### 7.3.2 Galvanised steel - Customs and Border Protection's assessment

Customs and Border Protection compared the monthly and quarterly export data provided by BlueScope (and the extrapolated annual data) with data contained in Customs and Border Protection's import database. Customs and Border Protection found considerable variation in the monthly volumes, although annually the volumes varied within 10%. Customs and Border Protection considers that this could be largely attributed to timing differences. Customs and Border Protection also identified variations in export prices, although this variation was significantly less. There was a 6% variation in the annual Korean export prices between the two data sources, reflecting higher export prices in Customs and Border Protection's import data base.

Customs and Border Protection considers that, based on the information submitted in the application, the amounts used by BlueScope to estimate FOB export prices for galvanised steel exported from the nominated countries to Australia appear to be reasonable. Furthermore, in 2011-12, import volumes from each of the relevant countries exceeded 3% of the total Australian import volume.

### 7.3.3 Aluminium zinc coated steel - BlueScope's claims

BlueScope calculated monthly and quarterly FOB prices and export volumes for aluminium zinc coated steel exported from China, Korea and Taiwan for 2011-12 to determine dumping margins for each of the nominated countries.

Quarterly and annual ISSB export prices for aluminium zinc coated steel are summarised in the following table (Customs and Border Protection calculated 2011-12 annual export prices using the data provided by BlueScope).



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Country	Sep Quarter 2011 (AUD)	Dec quarter 2011 (AUD)	Mar quarter 2012 (AUD)	Jun quarter 2012 (AUD)	2011-12 (AUD)
China*	\$917	\$903	\$819	\$867	\$880
Korea**	\$900	\$909	\$775	\$848	\$857
Taiwan**	\$903	\$892	\$830	\$829	\$879

\* The weighted average export prices do not include data for June 2012.

\*\* The weighted average export prices do not include data for May and June 2012.

**Figure 6: ISSB export prices for aluminium zinc coated steel provided in the application – 2011-12**

### **7.3.4 Aluminium zinc coated steel - Customs and Border Protection's assessment**

Customs and Border Protection compared the monthly and quarterly export data provided by BlueScope (and the extrapolated annual data) with data contained in Customs and Border Protection's import database. Customs and Border Protection considers that the two data sources may include imports of painted aluminium zinc coated steel, which are outside the investigation scope. However as discussed previously, at this stage it is not possible to extrapolate these products from the source data.

Customs and Border Protection found considerable variation in the monthly volumes, however annually the volumes varied within 8%. Customs and Border Protection considers that this could be largely attributed to timing differences.

Customs and Border Protection also identified variations in export prices, with a 9% variation in the annual Korean export prices between the two data sources reflecting higher export prices in Customs and Border Protection's import data base.

Notwithstanding some variances, Customs and Border Protection considers that, based on the information submitted in the application, the amounts used by BlueScope to estimate FOB export prices for aluminium zinc coated steel exported from the nominated countries exported to Australia appear to be reasonable. Furthermore, that in 2011-12, import volumes from the relevant countries exceeded 3% of the total Australian import volume.

## **7.4 Normal values**

### **7.4.1 China**

#### **7.4.1.1 Particular market situation**

##### (i) Background

China is treated as a market economy country under Australia's Anti-Dumping provisions. Australia's provisions are in accordance with the WTO AD Agreement and provide for the rejection of domestic selling prices in market economy countries where it can be established that the situation in the exporting country renders domestic selling prices unsuitable for normal value purposes.