



Australian Government
**Department of Industry,
Innovation and Science**

**Anti-Dumping
Commission**

Application for a
review of
anti-dumping measures

ANTI-DUMPING COMMISSION
Form B602
November 2015

NON-CONFIDENTIAL

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

In accordance with section 269ZA of the *Customs Act 1901* (the Act), 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:

Aluminium 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 (“Dongbu”).

- 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

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: **Keun Chae, Na**

Position: **Head of Legal Affairs (Compliance)**

Company: **Dongbu Steel Co., Ltd**

ABN: **NA**

Date: *NOV. 14. 2016*

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, employee, 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: 13 28 46 or +61 2 6213 6000 (outside Australia)

Fax: (03) 8539 2499 or +61 3 8539 2499 (outside Australia)

Email: clientsupport@adcommission.gov.au

Other information is available from the Commission's website at www.adcommission.gov.au.

Small and medium enterprises (i.e., those with up to 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the Department of Industry, Innovation and Science's International Trade Remedies Advisory (ITRA) Service. For more information on the ITRA Service, visit www.business.gov.au or telephone the ITRA Service Hotline on +61 2 6213 7267.

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:	22F, STX Namsan Tower 98 Huam-ro Jung-gu Seoul, Korea
Website:	www.dongbusteel.co.kr

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 8040
Facsimile no:	+82 2 3450 8177

Email address: sword@dongbu.com

Dongbu has retained Moulis Legal as its representatives for the purpose of this matter. In the first instance, all communications should be directed to Moulis Legal.

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:

CMC (Australia) Pty Limited	Officetel B No. 212 Sigma 18 Gumidong, Bundang-gu, Seongnam-si, Gyeonggi-do, Seoul, Korea
Stemcor ASIA Pty	707-24 24 Hanshin Intervalley 24 West Wing, 17th floor, 1704, Yeoksam-dong, Gangnam-gu, Seoul, Korea
SK Networks	199-15 SK Myeongdong Building, Euljiro, Seoul, Korea.

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 CHAFTA duty rate which of 3%. Imports from Korea are subject to the KAFTA duty rate which is 2%.

- 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

The measures were first published on 5 August 2013. The measures, insofar as they relate to Dongbu, were varied following a review on 3 August 2015.

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* (“the Act”).

**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**

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, normal value and non-injurious price that presently apply to its exports reviewed.

- the amount by which that factor is likely to have changed since anti-dumping measures were last imposed, and evidence in support; and
- in your opinion the causes of the change and whether these causes are likely to persist.

1 Ascertained Export Price (“AEP”) and Ascertained Normal Value (“ANV”)

In the previous review, Dongbu achieved a zero dumping margin. As a result, Dongbu’s AEP and ANV are the same value. Nonetheless, Dongbu has been unable to sell aluminium zinc coated steel to Australian customers, because of the use of a fixed/variable duty collection method. The AEP acts as a floor price. The AEP does not reflect current market trends.

Dongbu is of the opinion that if the AEP and ANV were ascertained today they would be much lower than those values as ascertained in the last review. This opinion is based on the following:

- (a) According to [CONFIDENTIAL INFORMATION DELETED – source], the price of hot-dipped galvanised steel coil has fallen by [CONFIDENTIAL INFORMATION DELETED – number] since 2013/14. Both aluminium zinc coated steel and zinc coated (galvanised) steel fall into the category of “hot dipped galvanised steel”. Please refer to Attachment 1, which includes data regarding Asian Steel Prices sourced from [CONFIDENTIAL INFORMATION DELETED – source] illustrating this decline in price.**
- (b) This is reflected in prices to the Australian market. Attachment 2 was appended to the last application for review and was based on information from a then customer of Dongbu. It shows CFR import prices of aluminium zinc coated steel (referred to as “CGL”) at [CONFIDENTIAL INFORMATION DELETED – number]. Attachment 3 is information from November 2016. It shows CFR prices of aluminium zinc coated steel to Australia of [CONFIDENTIAL INFORMATION DELETED – number]. This is [CONFIDENTIAL INFORMATION DELETED – number] less than the price during the last period of review.**
- (c) Attachment 4 shows an invoice to a Korean customer for purchases of aluminium zinc coated steel in September 2014 and in September 2016. The price had fallen [CONFIDENTIAL INFORMATION DELETED – number] in that period.**
- (d) Dongbu considers that one of the factors that have contributed to this decrease in price is the decrease in the cost of raw materials used in steel production. A good proxy of this is the cost of hot rolled coil (“HRC”), which is the primary raw material used in the production of aluminium zinc coated steel, accounting for [CONFIDENTIAL INFORMATION DELETED – proportion of cost]. Attachment 1 also includes data regarding the price of HRC. Between the last review period and today, prices of HRC have declined by [CONFIDENTIAL INFORMATION DELETED – number].**

Accordingly, Dongbu submits that the AEP and ANV have fallen by between [CONFIDENTIAL INFORMATION DELETED – number] since the last review period. Dongbu considers these changes are likely to persist.

Application
for a
revocation
review

2 Non-injurious price (“NIP”)

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. As discussed above, Dongbu understands that the market price in Australia is approximately [CONFIDENTIAL INFORMATION DELETED – number] below its level during the last period of review.

In accordance with Section 269ZB(2)(c) of the Act, Dongbu has stated its opinion regarding:

- the variable factors relevant to the taking of the measures taken that have changed; and
- the amount by which each such factor has changed; and
- the information that establishes that amount.

Accordingly, the Commission is requested to initiate a review of the variable factors as they apply to Dongbu under Section 269ZC(4)(a) of the Act.

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 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.

Lodgement
of the
application

This application, together with the supporting evidence, must be lodged in the manner approved by the Commissioner under subsection 269SMS(2) of the Act. The Commissioner has approved lodgement of this application by either:

- preferably, email, using the email address clientsupport@adcommission.gov.au, or
- pre-paid post to:
The Commissioner of the Anti-Dumping Commission
GPO Box 1632
Melbourne VIC 3001, or
- facsimile, using the number (03) 8539 2499 or +61 3 8539 2499 (**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.

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.

LIST OF ATTACHMENTS

No.	Subject matter	Status
1	[CONFIDENTIAL TEXT DELETED - data source]	Confidential
2	Australian market intelligence 2014	Confidential
3	Australian market intelligence 2016	Confidential
4	Comparative Korean sales 2014 and 2016	Confidential

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

