



# **ANTI-DUMPING NOTICE NO. 2016/19**

*Customs Act 1901 – Part XVB*

## **Clear Float Glass**

**Exported from the People’s Republic of China, the Republic of Indonesia and the Kingdom of Thailand**

### **Initiation of a Continuation Inquiry into Anti-Dumping Measures**

*Notice under subsection 269ZHD(4) of the Customs Act 1901*

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated an inquiry into whether the continuation of anti-dumping measures in respect of clear float glass (the goods) exported from the People’s Republic of China (China), the Republic of Indonesia (Indonesia) and the Kingdom of Thailand (Thailand) is justified.

#### **The Goods**

The goods currently subject to anti-dumping measures are clear float glass in nominal thicknesses of 3 to 12 millimeters (mm).

The acceptable tolerances to these thicknesses are shown below.

**Table 1**

| <b>Nominal thickness<br/>(mm)</b> | <b>Acceptable tolerances (mm)</b> |                |
|-----------------------------------|-----------------------------------|----------------|
|                                   | <b>Minimum</b>                    | <b>Maximum</b> |
| 3                                 | 2.80                              | 3.50           |
| 4                                 | 3.51                              | 4.50           |
| 5                                 | 4.51                              | 5.50           |
| 6                                 | 5.51                              | 7.00           |
| 8                                 | 7.01                              | 9.00           |
| 10                                | 9.01                              | 11.00          |
| 12                                | 11.01                             | 12.30          |

The goods have the following characteristics:

- transparent;
- flat; and
- rectangle or square in shape.

Glass with the following characteristics are not the goods:

- coated, coloured, tinted or opaque;
- absorbent, reflective or non-reflective layer;
- wired;
- bent, edge-worked, engraved, drilled, enamelled or otherwise worked;
- framed or fitted with other materials;
- toughened (tempered) or laminated;
- acid etched; or
- low iron.

The goods are currently classified to the following tariff subheading of Schedule 3 to the *Customs Tariff Act 1995*:

- 7005.29.00 (statistical codes 03, 04, 05, 06 and 09).

The general rate of duty is 5 per cent and the Developing Country Status (DCS) is 4 per cent. Indonesia is subject to the DCS rate, and imports from Thailand are free of duty. China is subject to a general rate of duty of 3% as a result of the China Australia Free Trade Agreement and is not subject to a DCS rate.

### **Background to the measures**

The anti-dumping measures were initially imposed by public notice on 17 October 2011, following the recommendations contained in *International Trade Remedies Branch Report to the Minister No. 159C* (REP 159C).

The anti-dumping measures, which currently apply to the goods exported to Australia from China, Indonesia and Thailand, are due to expire on 17 October 2016.

### **The current continuation inquiry**

On 2 December 2015, I published a notice on the Anti-Dumping Commission website ([www.adcommission.gov.au](http://www.adcommission.gov.au)) inviting certain persons to apply to me, in accordance with section 269ZHB of the *Customs Act 1901* (the Act), for the continuation of anti-dumping measures on the goods exported to Australia from China, Indonesia and Thailand.

Following receipt of an application made in accordance with subsection 269ZHB(1)(b) of the Act, by CSR Viridian Limited representing the Australian industry, I initiated this inquiry into whether the continuation of measures for another five years is justified. Particulars of the reasons for my decision to initiate this inquiry are shown in *Anti-Dumping Commission Consideration Report No. 335*, which has been placed on the public record.

For the purposes of this inquiry, the Commission will use the period 1 January 2015 to 31 December 2015 to determine whether the dumping duty notice relating to CFG:

- remain unaltered; or
- cease to apply to a particular exporter or to a particular kind of goods; or
- have effect in relation to a particular exporter or to exporters generally, as if different variable factors had been ascertained; or
- expire on the specified expiry date.

### **Public Record**

I must maintain a public record of this inquiry. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at [www.adcommission.gov.au](http://www.adcommission.gov.au) or at the Commission's office by contacting the case manager on the details provided below.

### **Lodgment of submissions**

Interested parties, as defined in subsection 269T(1) of the Act, are invited to lodge written submissions concerning this inquiry no later than the close of business on 30 March 2016, addressed to:

The Director  
Operations 1  
Anti-Dumping Commission  
Level 35  
55 Collins Street  
Melbourne VIC 3000

or by email to [operations1@adcommission.gov.au](mailto:operations1@adcommission.gov.au), or fax to +61 3 8539 2499.

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received after the date indicated above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts (SEF) on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY". Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC

RECORD”).

### **Statement of Essential Facts**

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Assistant Minister and Parliamentary Secretary to the Minister for Industry, Innovation and Science (Parliamentary Secretary)<sup>1</sup> within the legislative timeframe. The SEF will be placed on the public record by 11 June 2016, or by such later date as the Parliamentary Secretary may allow in accordance with subsection 269ZHI(3) of the Act. The SEF will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary concerning the continuation of the measures. Interested parties are invited to respond to the issues raised within 20 days of the statement being placed on the public record.

Submissions received in response to the SEF within 20 days of that statement being placed on the public record will be taken into account in completing my report and recommendation to the Parliamentary Secretary.

### **Report to the Parliamentary Secretary**

A recommendation to the Parliamentary Secretary will be made in a report on or before 26 July 2016 (or such later date as the Parliamentary Secretary may allow in accordance with subsection 269ZHI(3) of the Act).

The Parliamentary Secretary must make a declaration within 30 days after receiving the report, or due to special circumstances, such longer period, ending before the day the dumping duty notice is due to expire, as the Parliamentary Secretary considers appropriate.

### **The Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number 03 8539 2419 or email at [operations1@adcommission.gov.au](mailto:operations1@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

22 February 2016

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<sup>1</sup> On 20 September 2015, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Science.