

18 July 2018

The Director
Investigations 2
Anti-Dumping Commission

EMAIL investigations2@adcommission.gov.au

Dear Director,

***Accelerated Review No. 481
Steel reinforcing bar exported from Indonesia by PT. Toyogiri Iron Steel
Submission of the Australian industry***

Liberty OneSteel (Newcastle) Pty Ltd (**Liberty OneSteel**) is the sole member of the domestic Australian industry producing like goods to the goods the subject of this accelerated review.

We refer to the response to questionnaire of the applicant, PT. Toyogiri Iron Steel (**PT. Toyogiri**) placed on the public record on 13 July 2017,¹ specifically, we observe the incomplete nature of the exporter's response.

As a domestic Indonesian producer and seller of like goods, the exporter has nevertheless neglected to answer any questions concerning the scope and nature of the like goods it sells in the domestic Indonesia market. There is no disclosure of a "list the most comparable model(s)" as required by Section C-3 of the *Questionnaire*. Neither does the exporter provide in response to Section C-4, any "technical and illustrative material that may be helpful in identifying or classifying the goods... [it] sells on the domestic market". These are all matters within the 'new exporters' knowledge or contemplation, and their non-disclosure all but impedes the Commission's ability to accurately determine the exporter's normal value.

Similarly, the response to *Questionnaire* at Section E-2.6, suggests that PT. Toyogiri does in fact export like goods to third countries, and yet, no part of Section F has been completed.

Finally, the responses to Sections G-4 and G-6, appear incomplete. Again, this is critical information required to permit a proper assessment of the normal value.

In light of the range and breadth of deficiencies in the exporter's response to *Questionnaire*, we consider that the Commissioner ought to be satisfied that the exporter is not co-operating with a key aspect of the review, and should terminate the review in accordance with subsection 269ZE(3) of the *Customs Act 1901*. Given the expedited timeframe of the accelerated review, we consider that it is reasonable for the Commissioner to not be required to provide the exporter with any further extension of time, and that the Commissioner is not precluded from being satisfied that the exporter has through its non-cooperation significantly impeded the progress of the review.

¹ EPR Folio No. 481/003.

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Should the Commission seek to discuss any aspect of this submission, please do not hesitate to contact the Australian industry respondent.

FOR AND ON BEHALF OF THE AUSTRALIAN INDUSTRY RESPONDENT

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