

MinterEllison

24 December 2015

By Email: operations4@adcommission.gov.au

The Director
Operations 4
GPO Box 1632
MELBOURNE VIC 3001

For Public Record

Dear Sir/Madam

ADC 319 - Dumping Investigation – Chrome Bars from Italy and Romania

We act for Valbruna Australia Pty Ltd, an importer and distributor of stainless steel, in relation to the above investigation.

We note that the applicant in the above matter claims that some chrome bars that are the subject of the investigation are classified to subheading 7222.30.00 of the *Customs Tariff Act 1995* (Cth) (**Tariff**). In addition, in ADN 215/130, the Commission has accepted that claim in by adopting the goods description proposed by the applicant. However any claim that imported chrome bars produced from alloy or non-alloy steel bar can be lawfully entered under the subheading is false.

There is no evidence that the applicant produces chrome plated stainless steel bars or that any goods imported under item 7222 are chrome plated. In particular 1045 and 4140 grade steel bars and their international equivalents used by the applicant and overseas manufacturers in the production of chrome bars are not stainless steel. Furthermore, because Chapter 72 of the Tariff establishes non-alloy, alloy and stainless steel products as three mutually exclusive categories, the inclusion in the goods description of stainless steel bars classified to item 7222 is inconsistent with the assertion that the investigation only relates to chrome bars that are made from alloy or non-alloy steel bar.

Consequently we submit that the Commission should publish on the public record a clarification of the goods description that explicitly excludes from the investigation goods classified to subheading 7222.30.00.

As an importer and distributor of some stainless steel bars, not chrome plated, under that subheading our client is concerned at the potential for confusion in the administration by Customs of any future dumping notices that purport to apply to goods classified to Item 7222. Avoidance of this potential for confusion affecting the appraisal and clearance of our client's imports of stainless steel bars is a further ground requiring the Commission to take prompt and effective action to correct the current anomalous goods description.

Please do not hesitate to contact us if you require any further information

Yours faithfully



MinterEllison

John Cosgrave

Contact: John Cosgrave T: +61 2 6225 3781; M. 61 0419 254 974
F: +61 2 6225 1781 john.cosgrave@minterellison.com

Level 3 Minter Ellison Building 25 National Circuit Forrest
GPO Box 369 Canberra ACT 2601 Australia DX 5601 Canberra
T +61 2 6225 3000 F +61 2 6225 1000 minterellison.com

Mail correspondence to GPO Box or DX
ME_127116742_1 (W2007)