



駐澳大利亞台北經濟文化辦事處
Taipei Economic and Cultural Office in Australia

Mr Scott Wilson
Acting National Manager, Operations
Anti-Dumping Commission

06 December 2013

Ref: 102/403

Dear Mr Wilson,

On behalf of the Ministry of Economic Affairs of Taiwan, I would like to submit its comment on the Anti-Dumping Notice No. 2013/75 of Hot Rolled Structural Steel Sections exported to Australia from Japan, the Republic of Korea, Taiwan and Thailand.

Regarding the products concerned (goods tariff subheading 7216.31.00, 7216.32.00, 7216.33.00, 7216.40.00, 7216.50.40 and 7228.70.00) and pursuant to the World Trade Atlas statistics of the import volumes (sourced from Australian Bureau of Statistics and this office has checked with ABS to confirm the figures accuracy), our government would like to point out the percentage of imports on these products from Taiwan to Australia during ADC's investigation period (1 October 2012 to 30 September 2013) was 0.

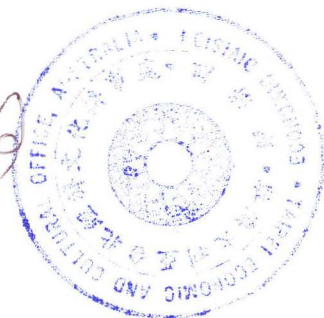
Meantime the accused countries including Japan, Korea, Thailand and Taiwan which individually accounts for less than 3 per cent of the imports of the like product collectively account for less than 7 per cent of imports of the like product in Australia in the investigated period. According to Article 5.8 of Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, the margins should be considered to be *de minimis* or that the volume of imports, actual or potential, or the injury, is negligible. Attached please find the relevant statistics of the imports of the concerned products to Australia and the Agreement for your reference.

Our government therefore emphasizes that the Australian Anti-Dumping Commission should terminate the investigation on hot rolled structure steel sections exported from Taiwan to Australia in light of the evidence provided and the Article 5.8 of the Agreement.

Thank you very much for your prompt attention on this matter. We look forward to hearing ADC's favorable feedback at its early convenience.

Sincerely yours,

Jerry Shyy
Executive Director
Economic Division



Encl.

Australia - Imports
 721631、721632、721633、721640、721650、722870
 Quantity

POI
↓

Country	T	Oct 10-Sep 11	share%	T	Oct 11-Sep 12	share%	T	Oct 12-Sep 13	share%
-- World --		84,677			107,541			82,635	
Japan		1793	2.1%		0	0.0%		0	0.0%
Korea, South		116	0.1%		55	0.1%		135	0.2%
Thailand		33	0.04%		77	0.1%		201	0.2%
Taiwan		13142	15.5%		0	0.0%		0	0.0%

自該國進口量佔被調查產品總進口量之比例低於3%者

World Trade Atlas
Australia - Imports
721631 U Sect,Ht-Wkd=>80Mm
Quantity

Rank	Country	T	Oct 10-Sep 11	T	Oct 11-Sep 12	T	Oct 12-Sep 13
0	-- World --		3,987		42,187		30,266
1	Unidentified Country		3,987		42,187		30,266
2	Japan	-	0		0		0
3	Korea, South	-	0		0		0
4	Singapore	-	0		0		0
5	Taiwan	-	0		0		0
6	Thailand	-	0		0		0
7	Australia	-	0		0		0
8	New Zealand	-	0		0		0
9	South Africa	-	0		0		0
10	United States	-	0		0		0
11	France	-	0		0		0
12	Germany	-	0		0		0
13	Italy	-	0		0		0
14	Netherlands	-	0		0		0
15	United Kingdom	-	0		0		0
16	China	-	0		0		0
17	Hong Kong	-	0		0		0
18	India	-	0		0		0

Source of Data:Australian Bureau of Staistics

World Trade Atlas
Australia - Imports
721632 I Sect,Ht-Wkd=>80Mm
Quantity

Rank	Country	T	Oct 10-Sep 11	T	Oct 11-Sep 12	T	Oct 12-Sep 13
0	-- World --		53,099		56,303		41,321
1	Unidentified Country	-	37,677		56,303		41,321
2	Taiwan	-	13,134		0		0
3	Thailand	-	0		0		0
4	Vietnam	-	0		0		0
5	Australia	-	11		0		0
6	South Africa	-	0		0		0
7	China	-	0		0		0
8	Hong Kong	-	96		0		0
9	Indonesia	-	0		0		0
10	Japan	-	1,793		0		0
11	Korea, South	-	0		0		0
12	Malaysia	-	0		0		0
13	Singapore	-	157		0		0
14	United States	-	0		0		0
15	Belgium-Luxembourg	-	0		0		0
16	Belgium	-	0		0		0
17	Luxembourg	-	2		0		0
18	Germany	-	0		0		0
19	Ireland	-	0		0		0
20	Italy	-	11		0		0
21	Netherlands	-	0		0		0
22	Spain	-	165		0		0
23	Switzerland	-	0		0		0
24	Turkey	-	49		0		0
25	United Kingdom	-	6		0		0

Source of Data: Australian Bureau of Statistics

World Trade Atlas
Australia - Imports
721633 H Sect,Ht-Wkd=>80Mm
Quantity

Rank	Country	-	T	Oct 10-Sep 11	T	Oct 11-Sep 12	Oct 12-Sep 13
0	-- World --			19,740		0	
1	Canada	-		0		0	
2	United States	-		1		0	
3	Belgium	-		0		0	
4	Finland	-		0		0	
5	Germany	-		50		0	
6	Italy	-		0		0	
7	Netherlands	-		0		0	
8	Romania	-		0		0	
9	Spain	-		0		0	
10	United Kingdom	-		0		0	
11	China	-		1,204		0	
12	Hong Kong	-		0		0	
13	Indonesia	-		0		0	
14	Japan	-		0		0	
15	Korea, South	-		0		0	
16	Malaysia	-		20		0	
17	Singapore	-		37		0	
18	Taiwan	-		0		0	
19	Thailand	-		0		0	
20	Australia	-		0		0	
21	New Zealand	-		0		0	
22	South Africa	-		341		0	
23	Unidentified Country	-		18,086		0	

Source of Data: Australian Bureau of Statistics

World Trade Atlas
Australia - Imports
721640 L/T Sect,H-Wk=>80Mm
Quantity

Rank	Country	-	T	Oct 10-Sep 11	T	Oct 11-Sep 12	T	Oct 12-Sep 13
0	-- World --			6,949		7,552		6,563
1	Unidentified Country	-		6,706		4,677		4,976
2	China	-		232		2,766		1,516
3	Spain	-		0		67		0
4	Thailand	-		10		19		0
5	India	-		2		11		11
6	Italy	-		0		10		0
7	Vietnam	-		0		3		4
8	Australia	-		0		0		0
9	New Zealand	-		0		0		0
10	South Africa	-		0		0		0
11	Japan	-		0		0		0
12	Korea, South	-		0		0		0
13	Malaysia	-		0		0		0
14	Singapore	-		0		0		53
15	Taiwan	-		0		0		0
16	United States	-		0		0		2
17	France	-		0		0		0
18	Germany	-		0		0		0
19	Netherlands	-		0		0		0
20	Ukraine	-		0		0		0
21	United Kingdom	-		0		0		0
22	Indonesia	-		0		0		0

Source of Data: Australian Bureau of Statistics

World Trade Atlas
Australia - Imports
721650 Other,Hot-Worked
Quantity

Rank	Country	-	Oct 10-Sep 11	Oct 11-Sep 12	T	Oct 12-Sep 13
0	-- World --		-			2,478
1	Canada	-				0
2	United States	-				0
3	Austria	-				0
4	Belgium-Luxembourg	-				0
5	France	-				0
6	Germany	-				0
7	Hungary	-				0
8	Ireland	-				0
9	Italy	-				0
10	Netherlands	-				0
11	Russia	-				0
12	Spain	-				0
13	Sweden	-				0
14	Switzerland	-				0
15	Turkey	-				0
16	Ukraine	-				0
17	United Kingdom	-				0
18	China	-				0
19	India	-				0
20	Indonesia	-				0
21	Japan	-				0
22	Korea, South	-				0
23	Malaysia	-				0
24	Philippines	-				0
25	Singapore	-				0
26	Taiwan	-				0
27	Thailand	-				0
28	Australia	-				0
29	New Zealand	-				0
30	South Africa	-				0
31	Unidentified Country	-				2,478

Source of Data:Australian Bureau of Staistics

World Trade Atlas
Australia - Imports
722870 Angle,Shape,Section
Quantity

Rank	Country	T	Oct 10-Sep 11	T	Oct 11-Sep 12	T	Oct 12-Sep 13
0	-- World --		902		1,499		2,007
1	China	-	486		1,126		1,540
2	Thailand	-	23		58		201
3	Korea, South	-	116		55		135
4	Denmark		146		191		32
5	Turkey	-	0		0		31
6	Canada	-	22		20		22
7	United States		0		1		18
8	Austria	-	0		4		8
9	Italy	-	1		26		7
10	Hong Kong		0		0		7
11	Germany		2		1		5
12	United Kingdom		21		0		2
13	Singapore	-	1		1		2
14	Philippines	-	0		0		0
15	Taiwan	-	8		0		0
16	Vietnam	-	43		1		0
17	Australia	-	0		10		0
18	New Zealand		0		0		0
19	South Africa		0		0		0
20	Zimbabwe		0		0		0
21	Unidentified Country		0		0		0
22	India	-	2		0		0
23	Indonesia	-	26		0		0
24	Israel	-	0		0		0
25	Japan	-	0		0		0
26	Malaysia	-	0		0		0
27	Ireland	-	0		0		0
28	Netherlands		0		5		0
29	Norway	-	0		0		0
30	Poland	-	0		0		0
31	Russia	-	0		0		0
32	Spain	-	0		0		0
33	Sweden	-	0		0		0
34	Switzerland		0		0		0
35	Brazil	-	0		0		0
36	Belgium-Luxembourg		0		0		0
37	Czech Republic		0		0		0
38	Finland	-	0		0		0
39	France	-	0		0		0

1994 關稅及貿易總協定第六條執行協定(反傾銷協定)

Agreement on implementation of article VI of the general agreement on tariffs and trade 1994 (Anti-dumping Agreement)

5.8 主管機關認為無充分之傾銷或損害證據，以證明有正當理由處理該案件時，應立即駁回依第一項所為之申請或終止調查。主管機關如認定傾銷差額微小，或實際或潛在之傾銷進口數量或損害程度微不足道時，應立即終止處理申請案件。傾銷差額以出口價格百分比表示如低於百分之二時，應認定係微小。自特定國家傾銷進口之數量如低於進口國同類產品進口量之百分之三時，原則上，應認為微不足道。但數個國家其個別進口量雖僅占進口國同類產品進口量百分之三以下，而其總進口量占國內市場進口量百分之七以上者，不在此限。

5.8 An application under paragraph 1 shall be rejected and an investigation shall be terminated promptly as soon as the authorities concerned are satisfied that there is not sufficient evidence of either dumping or of injury to justify proceeding with the case. There shall be immediate termination in cases where the authorities determine that the margin of dumping is *de minimis*, or that the volume of dumped imports, actual or potential, or the injury, is negligible. The margin of dumping shall be considered to be *de minimis* if this margin is less than 2 per cent, expressed as a percentage of the export price. The volume of dumped imports shall normally be regarded as negligible if the volume of dumped imports from a particular country is found to account for less than 3 per cent of imports of the like product in the importing Member, unless countries which individually account for less than 3 per cent of the imports of the like product in the importing Member collectively account for more than 7 per cent of imports of the like product in the importing Member.