

Austube Mills Pty Ltd
ABN 21 123 666 679

146 Ingram Road, Acacia Ridge QLD 4110
PO Box 246, Sunnybank QLD 4109
Phone: +61 7 3909 6600



25 November 2014

Mr Bora Akdenis
Manager
Anti-Dumping Commission
C/o Australian Customs and Border Protection Service
Customs House
1010 La Trobe Street
DOCKLANDS VICTORIA 3008

Public File

Dear Mr Akdenis

Hollow Structural Sections exported from Thailand – Preliminary Affirmative Determination and Provisional Securities

Background

I refer to Australian Dumping Notice (“ADN”) No. 2014/15 that notified an extension to the publication of a Statement of Essential Facts (“SEF”) from 10 November 2014 to 6 February 2015 in the investigation of Hollow Structural Sections (“HSS”) exported from Thailand.

The SEF for the investigation has been postponed from the scheduled Day 110 of the investigation until Day 198 – an extension of a further 88 days. At the time of writing this letter, a Preliminary Affirmative Determination (“PAD”) with provisional measures has not been made.

The delay in the publication of a PAD and the imposition of provisional measures is a significant setback to Austube Mills Pty Ltd (“ATM”). ATM is presently experiencing increased competition on painted CHS and RHS/SHS pipe exported from Thailand. The prices offered for are at the low point of all other offers in the market place, including for HSS imported with the boron additive from countries the subject of measures (and payment of the measures has not occurred).

Material injury – foreseeable and imminent

The attached quotation [Confidential details of quote]

ATM continues to experience injury from exports of HSS from Thailand. ATM’s application detailed that exports from Thailand had undercut the Australian industry’s selling prices and had caused injury through price suppression impacting profit and profitability. The latest price offers similarly undercut the Australian industry’s selling prices, contributing to ongoing injury impacting profit and profitability.

ATM requests the Commission to publish a PAD and impose provisional measures on exports of HSS from Thailand without further delay. It is understood that the Exporter Questionnaire Response (“EQRs”) received from the three Thai exporters **may** assert that export prices to Australia are not below domestic selling prices throughout the investigation period. However, as ATM has demonstrated in its application, adjustments to normal values are required to take account of the differences between the tolerances permitted for domestic sales (to Thai Standards) versus export sales to Australia (to ASNZ Standard). ATM has demonstrated that an upward adjustment of the Thai exporters’ normal values by approximately [redacted] is required.

Additional adjustments for grade differences, inland freight, and containerisation for the exported goods, along with the tolerances adjustment are required to uplift the Thai exporter’s normal values.

Once full account of these differences in the domestic selling prices in Thailand are taken into account and contrasted with the export prices to Australia, the dumping margins of approximately [redacted] will be observable.

Austube Mills Pty Ltd
ABN 21 123 666 679

146 Ingram Road, Acacia Ridge QLD 4110
PO Box 246, Sunnybank QLD 4109
Phone: +61 7 3909 6600



Request

ATM requests the Commission to urgently consider this latest development [REDACTED]
[REDACTED] It is ATM's considered position that the ongoing dumping and subsequent injury to the Australian cannot be further disputed. ATM is seeking the Commission to publish a PAD and impose provisional measures on HSS exports from Thailand without further delay.

If you have any questions concerning this letter please do not hesitate to contact ATM's representative Mr John O'Connor on (07) 3342 1921 or Mr Brett Willcox on (07) 3909 6130 or Mr Matt Condon on (02) 8424 9880.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'B Willcox', with a long, sweeping underline.

Brett Willcox

Manager – Strategy and Business Planning

AustubeMills Pty Ltd

