



folio no. 923

Customs Act 1901 - Part XV B  
POLYVINYL CHLORIDE  
HOMOPOLYMER RESIN (PVC)  
EXPORTED FROM THE REPUBLIC OF KOREA  
FINDINGS IN RELATION TO AN  
INVESTIGATION INTO DUMPING  
NOTICE UNDER SUBSECTIONS 269TG(1)  
AND 269TG(2)

The Australian Customs and Border Protection Service (Customs and Border Protection) has completed its investigation into the dumping of polyvinyl chloride homopolymer resin (the goods), classified to tariff subheading 3904.10.00, statistical code 18, in Schedule 3 of the Customs Tariff Act 1995, exported to Australia from the Republic of Korea (Korea).

In International Trade Remedies Report No. 187 (REP 187) Customs and Border Protection recommended the publication of a dumping duty notice in respect of the goods. REP 187 outlines the investigations carried out by Customs and Border Protection, a statement of the reasons for the recommendations contained in REP 187, material findings of fact or law on which Customs and Border Protection's recommendations were based and particulars of the evidence relied on to support the findings.

Particulars of the dumping margin established for the exporters and an explanation of the methods used to compare export prices and normal values to establish the dumping margin are set out in the following table:

Exporter	Dumping Margin	Method to establish dumping margin
LG Chemicals	3.26%	Weighted average export prices were compared with weighted average corresponding normal values over the investigation period in terms of paragraph 269TACB(2)(a) of the Customs Act 1901 (the Act).

The effective rate of interim dumping duty imposed on imports of the goods from Korea is 3.26% and applies to all exporters from Korea.

REP 187 should be read in conjunction with this notice and is available from the International Trade Remedies Branch, Canberra on telephone (02) 6245 5434. Reports are also available on the Customs and Border Protection internet site at [www.customs.gov.au](http://www.customs.gov.au).

I, JASON CLARE, Minister for Home Affairs, have considered, and accepted, the recommendations of Customs and Border Protection, the reasons for the recommendations, the material findings of fact on which the recommendations are based and the evidence relied on to support those findings in REP 187.

I am satisfied, as to the goods that have been exported to Australia, that the amount of the export price of the goods is less than the normal value of those goods and because of that, material injury to the Australian industry producing like goods might have been caused if the security had not been taken. Therefore under subsection 269TG(1) of the Act, I DECLARE that section 8 of the Customs Tariff (Anti-Dumping) Act 1975 (the Dumping Duty Act) applies to:

- the goods; and
- like goods that were exported to Australia after 28 June 2012 (when the Chief Executive Officer made a preliminary affirmative determination under paragraph 269TD(4)(a) of the Act that there appeared to be sufficient grounds for the publication of a dumping duty notice but before publication of this notice).

I am also satisfied that the amount of the export price of like goods that have already been exported to Australia is less than the amount of the normal value of those goods, and the amount of the export price of like goods that may be exported to Australia in the future may be less than the normal value of the goods and because of that, material injury to the Australian industry producing like goods has been caused. Therefore under subsection 269TG(2) of the Act, I DECLARE that section 8 of the Dumping Duty Act applies to like goods that are exported to Australia after the date of publication of this notice.

This declaration applies in relation to all exporters of the goods and like goods from Korea to Australia.

The considerations relevant to my determination of material injury to the Australian industry caused by dumping are the size of the dumping margins, the effect of dumped imports on prices in the Australian market in the form of price undercutting, price suppression and the consequent impact on the Australian industry including loss of sales volume, loss of profits and reduced profitability. In making my determination, I have considered whether any injury to the Australian industry is being caused or threatened by a factor other than the exportation of dumped goods, and have not attributed injury caused by other factors to the exportation of those dumped goods.

Particulars of the export prices, non-injurious prices, and normal values of the goods as ascertained will not be published in this notice as they may reveal confidential information.

Interested parties may seek a review of this decision by lodging an application with the Trade Measures Review Officer, in accordance with the requirements in Division 9 of Part XV B of the Act, within 30 days of the publication of this notice.

The TMRO can be contacted by phone, fax or mail:

Trade Measures Review Officer  
c/- Australian Government Solicitor  
Level 42 MLC Centre  
19 Martin Place  
Sydney NSW 2000  
Phone: (02) 9581 7640  
Fax: (02) 9581 7732

Enquiries concerning this notice may be directed to the case manager on telephone number (02) 6245 5434, fax number (02) 6275 6888 or email to [itrops1@customs.gov.au](mailto:itrops1@customs.gov.au).

Dated this 12th day of October 2012

JASON CLARE  
Minister for Home Affairs

p.33 - The Australian - 19 October 2012



Customs Tariff (Anti Dumping) Act  
(Transitional provisions)  
POLYVINYL CHLORIDE HOMOPOLYMER RESIN  
EXPORTED FROM JAPAN AND THE UNITED STATES  
FINDING IN RELATION TO A  
ANTI-DUMPING MEASUREMENT  
DIRECTION ON THE ASCERTAINMENT  
OF DUMPING DUTY PURSUANT TO  
SUPERSEDED SUBSECTION 269TG(1)

The Australian Customs and Border Protection Service (Customs and Border Protection) completed its review of anti-dumping measures applying to polyvinyl chloride homopolymer resin (the goods) exported to Australia from Japan and the United States of America on 24 February 2012. Recommendations resulting from the review are contained in International Trade Remedies Report No. 185 (REP 185).

I, JASON CLARE, the Minister for Home Affairs, have considered the recommendations and reasons for the recommendations and material findings of fact or law set out in REP 185. Pursuant to section 8(5) of the Customs Tariff (Anti Dumping) Act 1975, I hereby give direction that the anti-dumping measures applying to polyvinyl chloride homopolymer resin (hereinafter referred to as the goods) exported to Australia from Japan and the United States of America to Australia.

I DIRECT that, having regard to subsection 8(5A), the dumping duty to be applied to the goods, ascertained by reference to the value and quantity of the goods, by which the export price of the goods for each of the exporters is less than the normal value of the goods, is less than the amount in Column 2 (the normal value) of the table attached, whichever is the greater.

This notice applies to goods entered for home consumption on or after 24 February 2012.

To preserve confidentiality, the attachments to this Notice will not be made available to the public. Interested parties may obtain details of the new rates from the respective exporters in their respective capital city.

Copies of REP 185 are available on request from International Trade Remedies Branch, Canberra, on telephone number (02) 6245 5434 or fax number (02) 6275 6990 or [itrops1@customs.gov.au](mailto:itrops1@customs.gov.au). Reports are also available on the Customs and Border Protection internet site at [www.customs.gov.au](http://www.customs.gov.au).

Enquiries regarding the outcome of the review may be directed to the International Trade Remedies Branch, Canberra, on telephone number (02) 6245 5434, fax number (02) 6275 6990 or [itrops1@customs.gov.au](mailto:itrops1@customs.gov.au).

Dated this 12th day of October 2012

JASON CLARE  
Minister for Home Affairs



Customs Act 1901 - Part XV B  
POLYVINYL CHLORIDE HOMOPOLYMER RESIN  
EXPORTED FROM JAPAN AND THE UNITED STATES  
FINDING IN RELATION TO A  
ANTI-DUMPING MEASUREMENT  
CONTINUATION INQUIRY  
PUBLIC NOTICE UNDER SUBSECTIONS 269ZH(1) AND (4)

The Australian Customs and Border Protection Service (Customs and Border Protection) completed its inquiry, which commenced on 24 February 2012, into the anti-dumping measures applying to polyvinyl chloride homopolymer resin (the goods) exported to Australia from Japan, would lead, or would be likely to lead, to a recurrence of, the dumping and the material injury that the measures were intended to prevent. Recommendations resulting from that inquiry, reasons and material findings of fact and law in relation to the inquiry are contained in International Trade Remedies Report No. 184 (REP 184).

I, JASON CLARE, the Minister for Home Affairs, have considered the recommendation and reasons for the recommendation and material findings of fact or law therein that the anti-dumping measures applying to polyvinyl chloride homopolymer resin (the goods) exported to Australia from Japan, should continue from 21 October 2012 to 31 October 2012. Pursuant to section 8(5) of the Customs Tariff (Anti Dumping) Act 1975, I hereby give direction that the anti-dumping measures applying to polyvinyl chloride homopolymer resin (the goods) exported to Australia from Japan, should continue from 21 October 2012 to 31 October 2012.