



Customs Act 1901 – Part XVB

Steel rod in coils

Exported from the People's Republic of China

Findings in Relation to a Dumping Investigation

Public notice under subsections 269TG (1) and 269TG (2) of the Customs Act 1901

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed the investigation into the alleged dumping of steel reinforcing bar ("the goods"), exported to Australia from the People's Republic of China (China).

The goods the subject of the investigation (the goods) are:

Hot rolled rods in coils of steel, whether or not containing alloys, that have maximum cross sections that are less than 14mm.

The goods covered by this application include all steel rods meeting the above description regardless of the particular grade or alloy content.

Goods excluded from this application include hot-rolled deformed steel reinforcing bar in coil form, commonly identified as rebar or debar, and stainless steel in coils.

The goods are classified to the following tariff classifications in Schedule 3 of the *Customs Tariff Act 1995*:

- Tariff subheading 7213.91.00 with statistical code 44;
- Tariff subheading 7227.90.90 with statistical code 42 (as of 1 July 2015, statistical code 02)

The Commissioner reported his findings and recommendations to me in *Anti-Dumping Commission Report No. 301* (REP 301), in which he outlines the investigation carried out and recommends the publication of a dumping duty notice in respect of the goods. I have considered REP 301 and accepted the Commissioner's recommendations and reasons for the recommendations, including all material findings of fact and law on which the Commissioner's recommendations were based, and particulars of the evidence relied on to support the findings.

The method used to compare export prices and normal values to determine whether dumping has occurred and to establish the dumping margin was to compare the weighted average of export prices with the weighted average of corresponding normal values over

the investigation period pursuant to subsection 269TACB(2)(a) of the *Customs Act 1901* (the Act). The normal values were established under subsections 269TAC(2)(c) and 269TAC(6) of the Act. The export prices were established under subsections 269TAB(1)(a), 269TAB(1)(c) and 269TAB(3) of the Act.

Particulars of the dumping margins that have been established in respect of the goods exported from China by the following exporters are set out in the table below.

EXPORTER / MANUFACTURER	DUMPING MARGIN
Hunan Valin Xiangtan Iron & Steel Co. Ltd.	44.1%
Jiangsu Shagang Group	37.4%
<i>Uncooperative and All Other Exporters</i>	53.1%

I, KAREN LESLEY ANDREWS, Assistant Minister for Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science,¹ have considered, and accepted, the recommendations of the Commissioner, 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 301.

I am satisfied, as to the goods that have been exported to Australia from China, 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:

- (i) the goods; and
- (ii) in accordance with subsections 45(2), 45(3A)(b) and 269TN(2) of the Act, like goods that were exported to Australia for home consumption on or after 2 December 2015, which is when the Commonwealth took securities following the Commissioner's Preliminary Affirmative Determination published on 27 November 2015 under section 269TD of the Act, but before the 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 and is being 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 China.

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

¹ On 20 September 2015, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Science

imports on prices in the Australian market in the form of price undercutting and the consequent impact on the Australian industry including price suppression, price depression, less than achievable profits and profitability, reduced employment, and reduced value of assets employed in the production of rod in coils.

In making my determination, I have considered whether any injury to the Australian industry is being caused 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.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

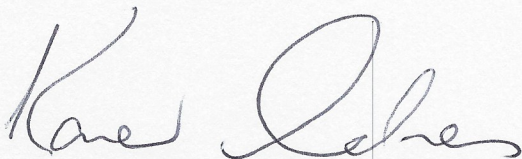
Particulars of the export prices, non-injurious prices, and normal values of the goods (as ascertained in the confidential tables to this notice) will not be published in this notice as they may reveal confidential information.

Clarification about how measures are applied to 'goods on the water' is available in ACDN 2012/34, available at www.adcommission.gov.au.

REP 301 and other documents included in the public record may be examined at the Anti-Dumping Commission office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2409, fax number +61 3 8539 2499 or email at operations4@adcommission.gov.au.

Dated this 22nd day of April 2016.



KAREN LESLEY ANDREWS

Assistant Minister for Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science