



Anti-Dumping Notice No. 2016/79

Customs Act 1901 – Part XVB

Chrome-plated steel bar exported from Italy and Romania

Findings in Relation to a Dumping Investigation

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

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed the investigation into the alleged dumping of chrome-plated steel bar, exported to Australia from Italy and Romania.

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

chromium plated circular solid steel bars (chrome bars) that have all of the following characteristics:

- *circular cross section;*
- *made from alloy or non-alloy steel bar;*
- *chrome plating of any thickness;*
- *lengths not greater than 8 metres; and*
- *diameters in the range 18mm to 170mm.*

Goods excluded include:

- *chromium plated steel bars with oval or flattened circle cross sections; and*
- *hollow or tubular chrome plated bars.*

The goods are generally, but not exclusively, classified to the following tariff classifications in Schedule 3 of the *Customs Tariff Act 1995*:

- Tariff subheading 7215.90.00 with statistical code 55
- Tariff subheading 7215.50.90 with statistical code 54
- Tariff subheading 7228.30.10 with statistical code 70
- Tariff subheading 7228.50.00 with statistical code 54
- Tariff subheading 7228.60.10 with statistical code 72
- Tariff subheading 7228.60.90 with statistical code 55.

These tariff classifications and statistical codes may include goods that are both subject and not subject to this investigation. The listing of these tariff classifications and statistical codes are for convenience or reference only and do not form part of the goods description.

On 3 August 2016, the Commissioner terminated his dumping investigation into the goods exported by Stelmi S.p.A. from Italy as those goods were not exported at dumped prices, and terminated his dumping investigation in so far as it relates to Italy as the volume of dumped goods exported from Italy was negligible. *Termination Report No. 319* sets out the reasons for these terminations. This report is available at www.adcommission.gov.au.

With respect to exports from Romania, the Commissioner reported his findings and recommendations to me in *Anti-Dumping Commission Report No. 319* (REP 319), in which he outlines the investigations carried out and recommends the publication of a dumping duty notice in respect of the goods. I have considered REP 319 and accepted the Commissioner's recommendations and reasons for the recommendations, including all material findings of fact or law on which the Commissioner's recommendations were based, and particulars of the evidence relied on to support the findings.

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

Exporter	Dumping Margin	Method to establish dumping margin
ASO Cromsteel	22.4%	Weighted average export prices over the whole investigation period were compared with weighted average corresponding normal values over the whole of that period in accordance with subsection 269TACB(2)(a) of the <i>Customs Act 1901</i> .
Nimet srl	35.3%	Weighted average export prices over the whole investigation period were compared with weighted average corresponding normal values over the whole of that period in accordance with subsection 269TACB(2)(a) of the <i>Customs Act 1901</i> .
All other exporters	66.9%	Weighted average export prices over the whole investigation period were compared with weighted average corresponding normal values over the whole of that period in accordance with subsection 269TACB(2)(a) of the <i>Customs Act 1901</i> .

I, CRAIG LAUNDY, Assistant Minister for Industry, Innovation and 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 319.

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.

¹ The Minister for Industry, Innovation and Science has delegated responsibility with respect to anti-dumping matters to the Parliamentary Secretary, and accordingly, the Parliamentary Secretary is the relevant decision maker. On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science.

Therefore under subsection 269TG(1) of the *Customs Act 1901* (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) like goods that were exported to Australia after 24 March 2016 (when the Commissioner made a Preliminary Affirmative Determination under section 269TD of the Act that there appeared to be sufficient grounds for the publication of a dumping duty notice) but before the publication of this notice.²

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 or 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 Romania.

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 and the consequent impact on the Australian industry including price depression, price suppression, reduced sales volume and reduced profits and profitability.

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

REP 319 and other documents included in the public record may be examined at the Anti-Dumping Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

² Within the time limitations of section 45 of the Act.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2464, fax number +61 3 8539 2499 or email at operations4@adcommission.gov.au.

Dated this ^{6th} day of ~~Sept~~ 2016



CRAIG LAUNDY

Assistant Minister for Industry, Innovation and Science

Parliamentary Secretary to the Minister for Industry, Innovation and Science