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28th August, 2014

Anti Dumping Commission – Public Record

- Regarding: ANTI-DUMPING NOTICE NO. 2014/7).
- Organisation making the submission: Logan Arms Pty Ltd
- Person making the submission: Travis O'Sullivan – Managing Director, Logan Arms Pty Ltd
- Logan Arms Role: Sink Importer

As an Australian importer of sinks, my company Logan Arms Pty Ltd, was sent the importer questionnaire to fill out as part of the investigation into this Anti Dumping matter. Upon receiving the questionnaire I made several enquiries through to the Anti Dumping Commission. The main enquiry related to the protection/non-disclosure of information between our company and our major customer. To expose these details for public record to the Anti Dumping Commission raised concerns regarding them going onto the public record. I was advised by a representative of the commission that the information provided would go onto the public record. As a result of this, and for the sake of the protection of my own business which was being forced to breach commercial confidence with my customer, I could not fill out the questionnaire. Our company does nothing wrong yet we are being placed in an unfair position which leaves our company unable to compete with other companies that are performing the same importing function that we are. We purchase sinks from a Chinese manufacture at the prices quoted to us and then distribute them within Australia based on the prices submitted. Penalising my business, over and above other Australian businesses, does not seem to help the investigation process, but rather just brings unfair consequences to my business and my staff in Australia.

I feel we, as an Australian business, have been penalised unfairly and put into an anti-competitive position by being given a preliminary dumping margin of 61.5%. The final result of this unfair judgement penalises my company above other Australian companies, as well as penalises Australian customers who in turn will be charged more for the sinks we supply. I am not being unreasonable in my position and I am not asking for extraordinary consideration that would put my business in a more favourable position than other sink importers. We just want a fair system that represents the interests of all Australian businesses, including my own. If other Australian businesses are able to import sinks with a preliminary dumping margin of 35%, then my Australian business surely should also be put in the same position. By being put into a non-competitive position it then impacts on our ability to operate our business as well as the employment security of our staff within Australia. Other competing companies are able to ensure the job security of their staff as they are unfairly in a better position than my company.

I ask for this to be reviewed and to at least ensure my proud Australian company is not penalised unfairly compared with other Australian companies that are importing sinks. Until a further decision is made by the Anti-Dumping Commission I ask that we, and our staff, are not unfairly penalised against other Australian companies and are subject to the same preliminary dumping margin of 35% as our other Australian competitors. I understand that it is a preliminary dumping margin, but we are currently obviously forced to build in further additional pricing consideration to our products if we are subjected to higher, unfair security than other Australian importing businesses.

Regards

Travis O'Sullivan
Managing Director
Logan Arms Pty Ltd