

6 July 2015

Mr Bora Akdenis
Case Manager
Anti-Dumping Commission
Level 35, 55 Collins Street
MELBOURNE VICTORIA 3000

Received on 7 July 2015

Email: Bora.Akdenis@adcommission.gov.au

Dear Mr Akdenis

Public File

Investigation No. 254 – Hollow Structural Sections from Thailand – Submissions on behalf of Saha Steel Pipe Co., Ltd and Pacific Pipe Public Company Limited

Austube Mills Pty Ltd (“ATM”) has examined the submissions dated 29 June 2015 by Saha Steel Pipe Co., Ltd (“Saha”) and Pacific Pipe Public Company Limited (“Pacific”) dated 3 July 2015. ATM provides the following comments in respect of the submissions.

Saha

Saha’s claims that Arrium Limited (“Arrium”) views ATM as a “discontinued” business are incorrect. ATM continues to operate as a business within the Arrium Steel portfolio. The claims made by Saha have no basis and should be disregarded.

Pacific

Pacific has again argued that certain domestic sales for fabrication goods are not domestic sales. It is stated that the HSS has been “*sold to a local customer*” for fabrication in Australia. The sale is a domestic sale that occurs prior to any subsequent sale.

Sales of like goods made in a quarter within the investigation period are considered to be suitable sales for normal value purposes. Where relevant sales are made in one quarter and there is an absence of sales in the remaining quarters (of the investigation period), timing adjustments can be employed to render the actual sales comparable with exports in the latter quarters. Relevant sales of like goods that occur in a single quarter of the investigation period cannot be disregarded due only to timing factors. The sales remain suitable for normal value purposes.

ATM concurs with the Commission that internal commissions paid on related party sales should not form the basis of an adjustment to normal value. The internal commission is nothing more than an internal transfer of funds and is not a valid adjustment for price comparison purposes.

Pacific’s claim for duty drawback was adequately addressed in Statement of Essential Facts No. 254. ATM re-affirms its position that it concurs with the Commission’s stance to disallow the claimed duty drawback adjustment.

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

Yours sincerely



Brett Willcox
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