



ANTI-DUMPING NOTICE NO. 2015/31

Newsprint

Exported from France and the Republic of Korea

Findings in relation to a dumping investigation

Customs Act 1901 – Part XVB

I, Dale Seymour, Commissioner of the Anti-Dumping Commission (the Commission) have completed the investigation into the alleged dumping of newsprint (the goods) exported to Australia from France and the Republic of Korea (Korea) following an application lodged by Norske Skog Industries Australia Limited. This notice is in respect of newsprint exported to Australia from France.

The goods subject of the application are newsprint in roll or sheet form having a weight within the range 40 grams per square metre (gsm) to 46 gsm (inclusive) and brightness below a measure of 70 ISO.

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

- tariff subheading 4801.00.20 with statistical code 02;
- tariff subheading 4801.00.31 with statistical code 04; and
- tariff subheading 4801.00.39 with statistical code 19.

For goods classified under 4801.00.20 and 4801.00.31, a duty rate of 5 per cent applies. For goods classified under 4801.00.39, goods are duty free.

On 20 March 2015, I terminated the dumping investigation into the goods exported from Korea and no dumping duty is payable on imports to Australia of newsprint from Korea. *Termination Report No. 242* (TER 242) sets out the reasons for this termination. That report is available on the Commission's website at www.adcommission.gov.au.

I reported my findings and recommendations to the Parliamentary Secretary to the Minister for Industry and Science (the Parliamentary Secretary) in *Anti-Dumping Commission Report No. 242* (REP 242). REP 242 describes how the Commission carried out the investigation and recommends the publication of a dumping duty notice in respect of the goods exported from France.

In REP 242, the Commission found that:

- newsprint exported to Australia from France was dumped with a margin of 5.1 per cent;
- the dumped exports from France caused material injury to the Australian industry producing like goods; and
- continued dumping from France may cause further material injury to the Australian industry.

Accordingly, I recommended that a dumping duty notice in respect of newsprint exported from France be published in accordance with subsections 269TG(1) and 269TG(2) of the *Customs Act 1901* (the Act).

The Parliamentary Secretary has considered REP 242 and has decided to accept my recommendations and reasons for the recommendations, including all material findings of fact or law on which my recommendations were based, and particulars of the evidence relied on to support the findings.

Notice of the Parliamentary Secretary's decision was published in *The Australian* newspaper and the *Commonwealth of Australia Gazette* on 30 April 2015.

The method used to compare export prices and normal values to establish the dumping margin was to compare the weighted average export prices with corresponding normal values over the investigation period in terms of subsection 269TACB(2)(a) of the Act. The normal value was established under subsection 269TAC(1) of the Act. The export price was established under subsection 269TAB(1)(c) of the Act.

Particulars of the dumping margins that have been established in respect of newsprint exported from France are set out in the table below.

Country	Manufacturer/ exporter	Dumping margin and effective rate of duty	Duty method
France	All exporters	5.1%	Fixed and variable

The effective rate of duty that has been determined is an amount worked out in accordance with the fixed and variable duty method, as detailed in the table above.

Measures apply to goods that are exported to Australia after the publication of the Parliamentary Secretary's decision. Measures also apply to goods that were exported to Australia after the Commissioner made a preliminary affirmative determination to the day before the Parliamentary Secretary's decision was published.

Any dumping securities that have been taken on and from 30 January 2015 will be converted to interim dumping duty.¹ Pursuant to section 12 of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act), conversion of securities to interim duty will not exceed the level of security taken. Importers will be contacted by the Regional Securities Officer in their respective capital city detailing the required conversion action for each security taken.

To preserve confidentiality, the export price, normal value and non-injurious price applicable to the goods will not be published. Bona fide importers of the goods can obtain details of the rates from the Dumping Liaison Officer in their respective capital city.

Clarification about how measures are applied to 'goods on the water' is available in Australian Customs Dumping Notice No. 2012/34, available at the Commission's website.

Affected parties should contact the Commission on telephone number 1300 884 159 or +61 2 6275 6066 (outside Australia) or email at clientsupport@adcommission.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

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 the Parliamentary Secretary's notice.

¹ Within the time limitations of section 45 of the *Customs Act 1901*.

REP 242 has been placed on the Commission's public record, which may be examined at the Commission's 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 2428, fax number 1300 882 506 or +61 3 8539 2499 (outside Australia) or email at operations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

30 April 2015