



## MINUTE PAPER

### Meeting with Cockburn Cement Pty Ltd

**Date:** 12 May 2014

**Location:** Anti-Dumping Commission, Ground Floor, Customs House, Melbourne

**Present:**

Cockburn Cement Pty Ltd

Drew Elsbury, Development Manager, Sales & Marketing, Cement & Lime Division, Adelaide Brighton Ltd

Vince Valastro, General Manager, Sales & Marketing, Cement & Lime Division, Adelaide Brighton Ltd  
Roger D Simpson, International Trade Consultant, Roger D Simpson & Associates

Anti-Dumping Commission

Dale Seymour, Commissioner

Phil Clarke, General Manager, Policy & Assistance Branch

Julian Stockwell, A/g Director, Operational Policy

### Record of Meeting

At the start of the meeting, Mr. Seymour indicated that the Anti-Dumping Commission (Commission) would listen to Cockburn Cement's (Cockburn's) concerns and that discussions should be limited to factual matters. The Commission would not offer comment on the merits of the case. It was agreed that a non-confidential version of this document would be placed on the public record.

Cockburn's representatives presented two written documents to which they spoke (non-confidential versions of these are attached to this meeting summary).

Mr. Valastro provided an overview of the company, its position, operating environment and the effect of the quicklime investigation. In particular, Mr. Valastro emphasised the critical importance of maintaining production volumes to their business.

Mr. Elsbury outlined the history of the present dumping case.

Mr. Simpson noted that the earlier investigation made a finding of a 48% dumping margin. Mr. Simpson stated that Cockburn's pricing in the non-alumina sector had reduced and Cockburn had rationalised workforce numbers due to the prolonged investigation. Information was presented to the Commission regarding the increasing imports, and decreasing price, of quicklime from Thailand since 2010, and Cockburn's earnings before interest and tax as a result of price depression and lost sales that had allegedly occurred due to dumping. Mr. Elsbury noted that the forecast for 2014 imports was based on Cockburn's historical knowledge of lost contract volumes that have allegedly been won by Chememan. Mr. Valastro also noted new sources of imports from Vietnam and other

## **PUBLIC RECORD**

South-East Asian countries. In response to a question from Mr. Seymour, Cockburn's representatives identified who they believed to be some of the major clients of Chememan.

Mr. Valastro presented information regarding a Cockburn lime facility that has allegedly suffered directly from dumping. He outlined the production process, its staff employment and its sensitivity to sales and production volume due to significant fixed energy costs. Mr. Valastro stated that the facility was suffering as a result of lost volumes and depressed prices due to dumped imports.

Mr. Valastro summarised the presentation noting the history of Cockburn as a long term supplier of quicklime to the Western Australian market.

Mr. Stockwell indicated that the information provided required further evidence in order for the Commission to consider the statements to be reliable for the purpose of the resumed investigation, and undertook to request that information after the meeting. Cockburn undertook to provide that information when requested. Mr. Stockwell also noted that the information regarding lost sales might be capable of being used by Cockburn to bring an application for a new investigation.

Mr. Simpson presented a written summary of the previous termination decisions and subsequent appeal findings and discussed some of the issues involved. Mr. Simpson questioned what the work the Commission was undertaking regarding the current prolonged resumption. Mr. Stockwell noted that because of the peculiar history of the investigation, and the complexity of the issues involved, the Commission had taken a fresh approach to the information gathered during the original investigation and the resumed investigation and was making fresh findings based on that information to be published in the statement of essential facts.

Mr. Simpson submitted that based on the decisions made by the Trade Measures Review Officer's review, and the Anti-Dumping Review Panel member's review of the quicklime investigation, that the Commission should analyse the dumping status of imports made between March and June 2010 and make a positive recommendation to the Parliamentary Secretary to the Minister for Industry.

Mr. Stockwell noted that submissions had been made to the investigation, that the present and future conduct of the investigation was possibly inconsistent with the World Trade Organization agreements governing anti-dumping.

Julian Stockwell  
Acting Director Operational Policy  
Anti-Dumping Commission

20 May 2014