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Non-confidential

To	Mr. Tim King/Anti-Dumping Commission
From	Bulent R. Hacioglu <i>on behalf of</i> Steel Exporters Association of Turkey (CIB)
Date	21 September 2015
Subject	Dumping Investigation – Steel Reinforcing Bar – Submission in response to Statement of the Essential Facts No 264

Dear Mr King;

Anti-dumping investigation against Turkish steel reinforcing bar imports was initiated on 17 October 2014. Turkish imports were subjected to provisional measures due to Preliminary Affirmative Determination issued on 13 March 2015.

The Turkish Steel Exporters Association (“ÇİB”) has now received the Statement of the Essential Facts Report No 264 and dated 2 September 2015 (“SEF”) relating to the investigation by the Commissioner of the Anti-Dumping Commission (“Commissioner”). The Commissioner, based on the findings in the SEF;

- has excluded imports originated in Turkey from the injury analysis and,
- proposed to terminate the investigation so far as it relates to all other exporters of rebar from Turkey.

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ÇİB notes that the weighted average dumping margin in respect of rebar exported to Australia by the sole exporter for the investigation period was found to be negative (-1.7 per cent) in the SEF. As this finding has proved; Turkish exporters did not sell steel reinforcing bar into Australia at dumped prices. ÇİB therefore, agrees with the Commissioner's decision that, imports originating in Turkey are indeed has to be excluded from the injury analysis.

Second consequence of the finding that Turkish exporters did not export rebar into Australia at dumped prices is the termination of the investigation against Turkey. As stated in ÇİB's previous submissions, according to Article 5.8 of the WTO Anti-Dumping Agreement, an antidumping investigation shall be terminated if the volume of dumped imports from a particular country is found to account for less than 3 per cent of imports of the like product in the importing Member.

s.269TDA(3) of the Customs Act 1901 mirrors this rule:

"Commissioner must terminate if negligible volumes of dumping are found

(3) If:

(a) application is made for a dumping duty notice; and

(b) in an investigation for the purposes of the application the Commissioner is satisfied that the total volume of goods the subject of the application:

(i) that have been, or may be, exported to Australia over a reasonable examination period from a particular country of export; and

(ii) that have been, or may be, dumped; is negligible; the Commissioner must terminate the investigation so far as it relates to that country".

As the Commissioner has determined; the sole Turkish exporter found to be exporting the subject products to Australia during the investigation period at non-dumped prices. Consequently, imports originating in Turkey were determined as negligible and all-others rate were not calculated; "

Given the Commissioner's proposed recommendation to terminate the investigation in relation to exporters from Malaysia, Turkey and Thailand, 'Uncooperative and All Other' dumping margins were not calculated in relation to Malaysia, Turkey and Thailand" (SEF, p. 45).



Based on the foregoing, CIB agrees with the Commissioner's proposition and requests termination of the provisional measures and the investigation against Turkish exports.

Finally we wish to note that on page 25 of the SEF a statement has been made that the volume of dumped goods from Turkey was not negligible. We understand this to be due to a typographical error as the Commission otherwise has noted and accepted that Turkey has not exported subject products at dumped prices to Turkey.

Respectfully submitted,

Bulent R. Hacioglu
on behalf of Steel Exporters Association of Turkey

A handwritten signature in black ink, appearing to read 'Bulent R. Hacioglu'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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