



## **ANTI-DUMPING NOTICE NO. 2014/123**

### **Quenched and Tempered Steel Plate Exported from Finland, Japan and Sweden Findings in Relation to a Dumping Investigation**

#### ***Customs Act 1901 – Part XVB***

I, Dale Seymour, Commissioner of the Anti-Dumping Commission have completed the investigation, which commenced on 8 January 2014, into the alleged dumping of Quenched and Tempered steel plate (“the goods”), exported to Australia from Finland, Japan and Sweden.

The goods are classified to tariff subheadings 7225.40.00 (statistical codes 21, 22, 23 and 24) and 7225.99.00 (statistical code 39 and 44) in Schedule 3 of the *Customs Tariff Act 1995*.

A full description of the goods is available in Anti-Dumping Notice (ADN) No. 2014/01 which is available on the internet at [www.adcommission.gov.au](http://www.adcommission.gov.au).

I reported my findings and recommendations to the Parliamentary Secretary to the Minister for Industry (the Parliamentary Secretary) in *Anti-Dumping Commission Report No. 234* (REP 234). REP 234 outlines how the Anti-Dumping Commission (the Commission) carried out the investigations and recommends the publication of a dumping duty notice in respect of the goods.

In REP 234, it was found that:

- Q&T steel plate exported to Australia from Finland, Japan and Sweden was dumped with margins ranging from 21.7 to 34.0 per cent;
- the dumped exports caused material injury to the Australian industry producing like goods; and
- continued dumping may cause further material injury to the Australian industry.

The Parliamentary Secretary has considered REP 234 and has accepted 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 5 November 2014.

Particulars of the dumping margins established and an explanation of the methods used to compare export prices and normal values to establish the dumping margins are set out in the table below.

Country	Manufacturer / exporter	Dumping margin	Inco-term	Effective rate of duty	Method to establish dumping margin
Finland	All Exporters	21.7%	EXW	10.8%	Weighted average export prices were compared with corresponding normal values over the investigation period in terms of s. 269TACB(2)(a) of the <i>Customs Act 1901</i> (the Act).
Japan	JFE Steel Corporation	24.6%	EXW	24.5%	
	Uncooperative Exporters	33.8%	EXW	26.1%	
Sweden	All Exporters	34.0%	FOB	9.6%	

The above table lists the effective rate of duty which is different from the dumping margins found, due to the application of the lesser duty rule pursuant to section 8(5B) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under the lesser duty rule, consideration is given to the desirability of imposing duties at less than the full dumping margins, if the lesser amount of duty is adequate to remove injury to the Australian industry.

The effective rate of duty determined for Finland and Japan is an amount worked out in accordance with ad valorem method and the effective rate of duty determined for Sweden has been calculated in accordance with the combination of fixed and variable duty method.

The effective rate of duty applicable to shipments from traders is the effective rate of duty applicable to the relevant manufacturer of the goods.

Measures apply to goods that are exported to Australia after publication of the Parliamentary Secretary's notice.

The actual duty liability for imports from Sweden may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Commission on 1300 884 159 or +61 2 6275 6066 (outside Australia) or at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au) for further information regarding the actual duty liability calculation in their particular circumstance.

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 anti-dumping measures are applied to 'goods on the water' is available in Australian Customs Dumping Notice No. 2012/34, available at the Commission website.

Any dumping securities that have been taken on and from 19 May 2014 will be converted to interim dumping duty.<sup>1</sup> Importers will be contacted by the Regional Securities Officer in their respective capital city detailing the required conversion action for each security taken.

Pursuant to section 12 of the Dumping Duty Act, conversion of securities to interim dumping duty will not exceed the level of security taken. The rate of conversion for

<sup>1</sup> Within the time limitations of section 45 of the Act

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securities will be required per the notices published on 19 May 2014 and 27 August 2014 (as applicable).

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.

REP 234 has been placed on the Commission's public record, which may be examined at the Commission office by contacting the Case Manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Enquiries about this notice may be directed to the case manager on telephone number +61 3 9244 8229, fax number +61 3 9244 8902 or email at [operations3@adcommission.gov.au](mailto:operations3@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

5 November 2014