Australian Government
Anti-Dumping Commission

ANTI-DUMPING NOTICE NO. 2016/132

Public notice under section 269TD of the Customs Act 1901

A4 Copy Paper

Exported from the Federative Republic of Brazil, the People's Republic of China, the Republic of Indonesia and the Kingdom of Thailand

Investigation into Alleged Dumping and Subsidisation

Third Preliminary Affirmative Determination and Imposition of Securities

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have made a preliminary affirmative determination (PAD) under subsection 269TD(1) of the *Customs Act 1901*[1] (the Act) because I am satisfied that there appears to be sufficient grounds for the publication of a countervailing duty notice in respect of A4 copy paper (the goods) exported to Australia from the People's Republic of China (China) (referred to in this notice as PAD 341B).

Background

On 12 April 2016 I initiated an investigation (the investigation) into the alleged dumping of the goods exported to Australia from the Federative Republic of Brazil (Brazil), China, the Republic of Indonesia (Indonesia) and the Kingdom of Thailand (Thailand), and the alleged subsidisation of the goods exported from China and Indonesia, following an application made by Paper Australia Pty Ltd. Further details in relation to the initiation of the investigation can be found in Anti-Dumping Notice (ADN) No. 2016/33 at www.adcommission.gov.au.

In relation to the investigation into the alleged dumping of the goods:

- On 29 September 2016, I gave public notice that I made a PAD under subsection 269TD(1) in respect of the goods exported to Australia from China and Thailand (PAD 341). Further information can be found in ADN 2016/100 at www.adcommission.gov.au.
- On 4 November 2016, I gave public notice that I made a second PAD under subsection 269TD(1) in respect of the goods exported to Australia from Brazil and Indonesia (PAD 341A). Further information can be found

[1] All legislative references are to the *Customs Act 1901,* unless otherwise stated.

in *PAD Report No. 341A* and ADN 2016/120 at www.adcommission.gov.au.

On 9 December 2016 the Commission published *Statement of Essential Facts Number 341* (SEF 341) on the public record.

The goods

The goods subject of the application are:

> *uncoated white paper of a type used for writing, printing or other graphic purposes, in the nominal basis weight range of 70 to 100 gsm and cut to sheets of metric size A4 (210mm x 297mm) (also commonly referred to as cut sheet paper, copy paper, office paper or laser paper)* (the goods).

The applicant provided further information on the goods as follows:

> *The paper is not coated, watermarked or embossed and is subjectively white. It is made mainly from bleached chemical pulp and/or from pulp obtained by a mechanical or chemi-mechanical process and/or from recycled pulp.*

The goods are currently classified to the following tariff subheading in schedule 3 of the *Customs Tariff Act 1995:*

- 4802.56.10, statistical codes 03 and 09.

Third Preliminary Affirmative Determination (PAD 341B)

Having regard to the application, submissions received and other information I considered relevant, as specified in SEF 341, and pursuant to subsection 269TD(1)(a), I am satisfied that there now appears to be sufficient grounds for the publication of a countervailing duty notice in respect of the goods exported to Australia from China. As a result, I have made PAD 341B to that effect, pursuant to section 269TD.

In making this PAD 341B, I have had regard to the requirements of section 269TAE of the Act and SEF 341. I am satisfied that dumped and/or subsidised goods appear to have caused material injury to the Australian industry producing like goods in the form of:

- price suppression;
- price depression;
- reduced profits and profitability; and
- reduced revenue from A4 copy paper;

Relevant information relied on in making this PAD 341B is contained and/or explained in SEF 341, which has been placed on the public record at www.adcommission.gov.au. Alternatively, it may be examined at the Anti-Dumping Commission's (Commission) office by contacting the Case Manager on the details provided below.

The preliminary countervailing margins for China are tabulated below in Table 1. These margins were calculated in accordance with the Act.

Exporter	Subsidy Margin
UPM (China) Co., Ltd. (UPM China)	0.8%*
Asia Symbol (Guangdong) Paper Co., Ltd. (Asia Symbol)	2.2%
Uncooperative and all other exporters	8.0%

Table 1: Preliminary countervailing margins

**The Commission notes that the preliminary subsidy margin for UPM China listed in Table 1 is negligible under section 269TDA of the Act. Accordingly, securities will not be collected in relation to the subsidy margins calculated for UPM China.*

Under subsection 269TD(4)(b), I am satisfied that it is necessary to require and take securities in respect of interim countervailing duty that may become payable in order to prevent material injury occurring to the Australian industry while the investigation continues.

The Commonwealth will require and take securities under section 42 in respect of interim countervailing duty that may become payable in respect of the goods imported from China and entered for home consumption in Australia on or after Tuesday 20 December 2016.

Amendment to Dumping Securities

Based on further information that I have received, considered and described in SEF 341, I have revised, where applicable, the level of securities required and taken under section 42 of the Act in respect of interim dumping duty that may become payable in relation to the goods exported to Australia by exporters from Brazil, China, Indonesia and Thailand. This is a result of further assessment of the Commission's preliminary market situation findings, consideration of further submissions from interested parties and the verification of further information received by the Commission subsequent to PAD 341A. My reasons for revising the levels of securities in respect of interim dumping duty are contained in SEF 341.

The revised levels of securities will be taken at the amount of the new dumping margins as tabulated below in Table 2.

Country	Exporter	Dumping Margin
Brazil	International Paper do Brasil Ltda. (IP Brazil)	2.9%
	Uncooperative and all other exporters	31.9%
China	UPM China	34.4%
	Asia Symbol	3.1%#
	Uncooperative and all other exporters	40.0%
Indonesia	PT Indah Kiat Pulp & Paper Tbk (Indah Kiat)	72.8%
	PT Pindo Deli Pulp and Paper Mills (Pindo Deli)	57.6%
	PT Pabrik Kertas Tjiwi Kimia Tbk (Tjiwi Kimia)	2.4%
	Riau Andalan Kertas (RAK)	12.6%
	Uncooperative and all other exporters	78%
Thailand	Double A (1991) Public Company Ltd. (Double A)	13.4%
	Phoenix Pulp & Paper Public Co., Ltd. (PPPC)	18.1%

Country	Exporter	Dumping Margin
	Uncooperative and all other exporters	23.7%

Table 2: Preliminary Dumping Margin Summary

 # The dumping margin for Asia Symbol has changed from that published in the SEF as the result of the consideration of further matters. See the verification report published on 16 December 2016.

The revised levels of securities will be taken in respect of any interim dumping duty that may become payable in respect of the goods entered for home consumption on or after Tuesday, 20 December 2016.

Form of Securities

The securities that have been determined are:

- in relation to interim dumping duty for China, Thailand and Indonesia, amounts that have been worked out in accordance with the combination of fixed and variable duty method;
- in relation to interim dumping duty for Brazil, amounts that have been determined in accordance with the variable (*ad valorem)* duty method; and
- in relation to interim countervailing duty for China, amounts that have been determined as a proportion of the export price of the goods.

Affected parties should contact www.business.gov.au on telephone number 13 28 46 or +61 2 6213 6000 (outside Australia) for further information regarding the actual security liability calculation in their circumstance.

I must report to the Assistant Minister for Industry, Innovation and Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)[2] with final recommendations in relation to the investigation on or before 23 January 2017. The Parliamentary Secretary will then decide whether to publish a dumping duty notice and/or countervailing duty notice and, if relevant, the level of measures to be imposed.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2447 or via email to operations2@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

16 December 2016

[2] On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this investigation the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.