

Gross & Becroft

L A W Y E R S

International Trade • Customs • Commercial Law

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12 July 2011

Director Operations 2
Trade Measures Branch
Australian Customs and Border Protection Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

Dear Sir/Madam

**Re: Australian Customs Dumping Notice No 2011/10
Clear Float Glass Exported from Indonesia, Thailand and the People's Republic of China:
Resumption of Investigation**

We confirm that we act for Glassworks Pty Ltd, an importer and distributor of Clear Float Glass (CFG). Glassworks is a significant importer of CFG from China.

Glassworks has filed two previous submissions on 11 June 2010 and 25 November 2010.

Glassworks fully agrees with the decision by Australian Customs to terminate its investigation on 20 December 2010 and to not impose any anti-dumping duties on CFG imports from China.

Glassworks notes 'the analysis of Australian Customs in Section 8.10 of the Termination Report wherein Customs concludes that 'All of the analyses above indicate that the degree of price suppression and consequently lost profit and profitability, if any, to Viridian that has been caused by dumping is negligible.'

Glassworks remains of the view that there is no dumping occurring (and there was no dumping occurring during the analysis period) on exports of CFG from China.

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Further, any material injury suffered by Viridian is due to factors such as:

1. The significant and continued appreciation of the Australian dollar against the United States dollar, resulting in imports at progressively lower prices;
2. The inefficiencies and operational changes at Viridian that have resulted in higher unit fixed costs for local CFG production; and
3. The negative economic impacts of the global financial crisis in the analysis period and beyond that has affected the building industry and hence reduced demand for CFG in Australia.

In respect of point 1 above, Viridian's argument that currency movements exacerbate the effects of the dumping margin (see TER159B 8.9.5) does not address the fundamental point that currency movements are a pivotal factor likely to cause material injury to Viridian.

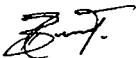
In respect of point 2 above, it is entirely appropriate for Customs to remove higher unit fixed costs that are due to factors other than dumping as it has done in Section 8.10 of the Termination Report. This enables Customs to verify that any price suppression is due to factors such as factors 1-3 listed above, and is not due to any importation of CFG at dumped prices.

We note that Australian Customs is required to take these other factors into account pursuant to s269TAE(2A) of the Australian Customs Act.

Glassworks is strongly of the view that the issues raised by the Trade Measures Review Officer in his report of 21 March 2011 do not alter the reasoning or conclusions of Australian Customs with respect to causation, and the decision to terminate this investigation.

Yours faithfully

GROSS & BECROFT



ROSS BECROFT
Principal