



Australian Government

Australian Customs and
Border Protection Service

Customs House
5 Constitution Avenue
Canberra ACT 2601

The Manager

Dear

**INVESTIGATION INTO THE ALLEGED DUMPING OF SILICONE EMULSION
CONCRETE ADMIXTURES FROM THE UNITED STATES OF AMERICA**

On 14 August 2009 the Australian Customs and Border Protection Service (Customs and Border Protection) initiated an investigation into the alleged dumping of silicone emulsion concrete admixtures (SECA) exported to Australia from the United States of America. This follows an application for a dumping duty notice made by Tech-Dry Building Protection Systems Pty Ltd, the sole Australian manufacturer of SECA.

The locally made SECA product manufactured by Tech-Dry is sold and marketed under the brand **Tech-Dry Block Emulsion**.

The imported SECA product is sold and marketed by BASF Construction Chemicals Australia under the trade name **Rheopel Plus**.

Dumping occurs where a product is exported to Australia at a price below its normal selling price in the country of export. If the dumping is causing material injury to the industry producing the same or similar goods in Australia, the Minister for Home Affairs, the Minister responsible for Customs and Border Protection, may decide to impose dumping duties on the imported goods in order to remove that injury.

Tech-Dry alleges that the goods (SECA) have been exported from the USA to Australia at prices less than their normal value and that the dumping has caused material injury to the Australian industry through:

- lost sales volume;
- lost market share;
- price undercutting;
- price suppression;
- price depression; and
- reduced profits and profitability

Customs and Border Protection understands that your company is an end user of SECA and would appreciate your cooperation in this investigation. A questionnaire is attached for this purpose relating to your purchases of SECA for the period since July 2007.

Completing this questionnaire is not compulsory. However, your assistance will help Customs and Border Protection to assess whether, and if so how, the Australian industry is suffering material injury caused by exports of SECA from the USA. Please take the time to review the attached questions and provide the most accurate information you can. The information you provide will be held in confidence and will not be provided to any third party without your express approval.

It is a requirement that Customs and Border Protection publish a non-confidential version of all information to which it has regard during this investigation. As such, Customs and Border Protection will place on the public file a blank copy of this questionnaire and will publish a list of the companies who provide a response. Customs and Border Protection will report the consolidated results of the questionnaire but will not attribute any comments to a particular respondent. No other information you provide will be placed on the public file.

Customs and Border Protection may seek the opportunity to visit you to discuss matters relevant to its investigations.

For your information, the following documents are attached:

- a non-confidential version of the application;
- the Australian Customs Dumping Notice (ACDN 2009/27) giving details of the application and the investigation procedures; and
- an anti-dumping and countervailing booklet.

Should you have any questions or concerns regarding this matter, please contact me on (02) 6275 6393, fax number (02) 6275 6990 or email tmops1@customs.gov.au.

Yours sincerely

Joanne Reid
Manager Operations 1
Trade Measures Branch
Australian Customs and Border Protection Service

12 November 2009



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INVESTIGATION INTO THE ALLEGED DUMPING OF SILICONE EMULSION CONCRETE ADMIXTURES EXPORTED FROM THE UNITED STATES OF AMERICA

SILICON EMULSION CONCRETE ADMIXTURE (SECA) QUESTIONNAIRE

1. Who is your current supplier of SECA?

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2. When did the current arrangements for the supply of SECA commence and who was the previous supplier?

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3. In what applications do you use SECA?

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4. What were the important factors in choosing a supplier for the SECA, (number relevant boxes in order of priority i.e. 1,2,3 etc)

- | | |
|--|--------------------------|
| Price | <input type="checkbox"/> |
| Reliability | <input type="checkbox"/> |
| Quality of quoted product | <input type="checkbox"/> |
| Your relationship with the supplier | <input type="checkbox"/> |
| Availability of supply | <input type="checkbox"/> |
| Services offered by supplier e.g. technical advice, installation | <input type="checkbox"/> |
| Supply bundling (i.e. SECA offered as part of a suite of products) | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |
| (please specify)..... | |

5. Was there a formal tender process for the supply? If so, can you please provide a copy of any documents relating to the process?

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- [illegible]

DECLARATION

The undersigned certifies that all information supplied herein in response to the questionnaire (including any data supplied in an electronic format) is complete and correct to the best of his/her knowledge and belief and consents to the enterprise being named on the Customs public file as a respondent to this questionnaire.

The undersigned further certifies that he/she is duly authorised to make this declaration.

Date

Signature

Name

Company name:

Address:

Name of contact:

Position in the company:

Contact number: (ph)

Email:

Return by: 25 November 2009

Return address

Mail:

Director, Operations 1
Trade Measures Branch
Australian Customs Service
5 Constitution Avenue
CANBERRA ACT 2601

Facsimile: 02 6275 6888

Email tmops1@customs.gov.au