



Sullivans International Pty Ltd.

*All correspondence*

M.T. Sullivan & Co. Pty Ltd

ACN 010 366 613 A.B.N. 58 001 147 202

40 Parramatta Road, Underwood, Brisbane, Queensland, Australia 4119

PO Box 2777, Logan City, D.C. Qld 4114

Manufacturers and Wholesalers  
of accessories for the  
Window Furnishing Industry.  
Sewing Furniture, Interior Decorations,  
Craft & Hobby Industries

Telephone 07 3209 4799  
Tel. Telephone 64 7 3209 4799  
Facsimile (07) 3209 9410  
Toll Free Call 1800 777 582  
Email [admin@sullivans.net](mailto:admin@sullivans.net)  
Website [www.sullivans.net](http://www.sullivans.net)

Bankers  
Commonwealth Bank Australia  
Level 1 Block C, Garden Square  
613 Kessels Road, Upper Mt Gravatt  
QLD 4122 Australia  
BSB 064-170 Acc No. 045 9392

20 December 2022

The Commissioner of the Anti-Dumping Commission  
GPO Box 2013, Canberra ACT 2600

By EMAIL: [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au)

Dear Commissioner for the Anti-Dumping Commission,

Application seeking an exemption from Dumping Duty and Countervailing Duty.

THE TRUSTEE FOR THE MICHAEL TERRANCE SULLIVAN FAMILY TRUST - TRADING AS  
MT SULLIVAN & CO PTY LTD

Due to the Anti-Dumping notice (ADN) No: 2021/109 - Report No 550 (REP550) on Precision Pipe and Tube Steel we have found our range of 16mm Metal coated Curtain Rods now attracts Dumping and Countervailing Duties. We note the Minister has granted an exemption (Ministerial Exemption Instrument No 1 of 2022) on some sizes of these Curtain Rods based on Exemption Inquiry Report No 0086 (REP EX0086). We are hereby applying to add more lengths of Curtain Rods for exemption from interim dumping duty /dumping duty and interim countervailing duty and countervailing duty.

#### 1. Applicant's Details

Name: THE TRUSTEE FOR THE MICHAEL TERRANCE SULLIVAN FAMILY TRUST - TRADING AS  
MT SULLIVAN & CO PTY LTD

Address: 40 Parramatta Road Underwood Qld 4119 Australia  
Postal Address: PO Box 2777 Logan City DC Qld 4114

Established for over thirty years. M.T. Sullivan & Co Pty Ltd is an Australian Manufacturer and Wholesaler, distributing a wide range of fabrics, decorative trimmings, curtain accessories, curtain tracking and a comprehensive range of sewing accessories and craft products. During this time Sullivan's has sold Metal Curtain Rods to retail outlets throughout Australia.



Sullivans International Pty Ltd.

At correspondence:  
M.I. Sullivan & Co. Pty. Ltd.  
A/C N. 010 366 613 - A.B.N. 58 001 147 202  
10 Parramatta Road, Underwood, Brisbane, Queensland, Australia 4119  
PO Box 2777, Logan City, QLD 4111

Manufacturers and Wholesalers  
of accessories for the  
Window Furnishing Industry,  
Fitting, Finishing, Interior Decoration,  
Craft & Hobby Industries

Telephone: (07) 3209 4756  
Tel. Telephon: 61 7 3209 4756  
Facsimile: (07) 3208 9410  
Free Call: 1800 777 582  
E-mail: [admin@sullivan.net](mailto:admin@sullivan.net)  
Website: [www.sullivan.net](http://www.sullivan.net)

Bankers  
Commonwealth Bank Australia  
Level 11 Block C, Garden Square  
61 Kessels Road Upper Mt Cootey  
QLD 4122 Australia  
A/C No. 1045 9592

## 2. The Exemption Goods

The goods (exemption goods) subject to this application are as follows:

Curtain Rods that have a 16mm outside diameter and a 0.4mm gauge / wall thickness. They come in powder-coated colours - White, Ivory and Black.

The Curtain Rods come in Lengths of 1.0 metre and 3.5 metres and are individually heat/shrink wrapped and labelled.

The Curtain Rods are made of A class hot-rolled strip metal comprising of 0.12% carbon and are made using a roll forming process and a longitudinal welding technique.

## 3. Applicant's interest as an affected party.

Sullivans have imported and continue to import these metal coated Curtain Rods from China. These rods may be described as rolled steel tubing / pipe that is for Home Decor use - Curtain Rods for hanging curtains.

These goods are imported under the tariff heading 7306.30.00.

Due to the findings of the investigation 550, we are required to pay dumping duty and countervailing on these goods.

## 4. Details of other parties likely to have an interest in this exemption application.

Sullivans are aware that an Exemption has recently been granted on these Metal Curtain Rods in a variety of lengths on Anti-dumping Notice No 2022/066 - Exemption Inquiry No: 0086. This application was lodged by PILLAR PRODUCTS PTY LTD and TASKMASTER HARDWARE AUSTRALIA PTY LTD.

The Curtain Rods granted exemption come in lengths 1.5, 2.0, 2.5 and 3.0 metres.

We are applying for curtain rod sizes 1.0 metres and 3.5 metres.

## 5. Grounds for seeking an exemption.

Like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.



Sullivans International Pty Ltd.

All correspondence to:  
M. J. Sullivan & Co. Pty Ltd.  
A/C N 010 366 613 A/B N 58 001 117 202  
40 Bannatta Road, Underwood, Brisbane, Queensland, Australia 4119  
P.O. Box 27777, Logan City D.C. Qld 4114

Manufacturers and Wholesalers of accessories for the Window Furnishing Industry, Flooring, Furniture, Interior Decorations, Craft & Hobby Industries.	Telephone: (07) 3209 4299 Fax: (07) 3209 4299 Facsimile: (07) 3208 9410 Free Call: 1800 751 382 Email: <a href="mailto:sullivan@sullivan.net">sullivan@sullivan.net</a> Website: <a href="http://www.sullivan.net">www.sullivan.net</a>	Bankers: Commonwealth Bank Australia Level 1 Block C, Garden Square 617 Kessels Road Upper Mt Cresswell QLD 4122 Australia Tel: 064 070 100 Fax: 064 069 900
---	--	---

6. Evidence that all known Australian Producers have been contacted in writing and asked whether or not they can manufacture and supply goods, the terms of supply and their view of the exemption application.

See Attachment 1 for correspondence between Sullivans and Orrcon.

7. Details of the anti-dumping and countervailing measures applying to the goods.

The goods subject to measures are:

Certain electric resistance welded pipe and tube made of carbon steel, whether or not including alloys, comprising circular, rectangular and square hollow sections in metallic coated and non-metallic coated finishes. Metallic finish types for the goods include galvanised and aluminised. Non-metallic finishes include hot-rolled and cold-rolled.

Sizes of the goods are, for circular products, those equal to or less than 21 millimetres ("mm") in outside diameter. Also included are air heater tubes to Australian Standard (AS) 2556, up to and including 101.6mm outside diameter. For rectangular and square products, those with a nominal thickness of less than 1.6mm (being a perimeter up to and including 260 mm.)

Included within the goods are end configurations such as plain, square faces and other (e.g. threaded, swged and shouldered).

The goods include all electric resistance welded pipe and tube made of steel meeting the above description of the goods (and inclusions), including whether the pipe or tube meets a specific structural standard or is used in structural applications.

Oval and other shaped hollow sections which are not circular, rectangular or square, are excluded from the goods.

The goods subject to measures are generally covered by Tariff Codes

- \* 7306.30.00 (statistical code 30)
- \* 7306.50.00 (statistical code 50)
- \* 7306.61.00 (statistical code 21)

The countries subject to measures are CHINA and KOREA.





Sullivans International Pty Ltd.

At correspondence to:  
M I Sullivan & Co Pty Ltd  
A.C.N. 010 366 613 A.B.N. 58 001 447 202  
40 Pittamatta Road, Underwood, Brisbane, Queensland, Australia 4119  
PO Box 2777, Logan City D.C. Qld 4114

Manufacturers and Wholesalers  
of accessories for the  
Window Fitting Industry,  
Living Furniture, Interior Decoration,  
Crab & Fish Industries

Telephone: (07) 3309 4796  
Tel: (07) 3209 4799  
Facsimile: (07) 3206 9410  
Telex: 01 1830 717 382  
Email: admin@sullivan.net  
Website: www.sullivan.net

Bankers  
Commonwealth Bank Australia  
Level 1 Block A, Garden Square  
613 Kessels Road Upper Mt Cavanah  
QLD 4122 Australia  
Tel: 064 470 144 X60 (mp.sqs)

8. Detailed statement setting out reasons for seeking an exemption.

Sullivans are of the view that the Exemption Goods which we have imported and continue to import should not be subject to dumping and countervailing duty as, pursuant to paragraphs 8(7)(a) and 10(8)(a) of the Customs Tariff (Anti-Dumping) Act 1975 (ANTI-DUMPING ACT), like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.

Orrcon have confirmed that they do not manufacture in 0.4mm wall thickness with powder coating and bundling.

In Exemption Inquiry Report EX0086 the Commission found that there is no Australian Industry producing like or directly competitive goods and the Minister granted an exemption for the following goods:

Curtain rods that have a 16mm outside diameter and a 0.4mm gauge / wall thickness.  
They come in both powder-coated (Black / White / Ivory) and electroplated (Brushed Chrome).

The Curtain rods come in lengths 1.5, 2.0, 2.5 and 3.0 metres, and are individually heat/shrink wrapped and labelled.

The Curtain rods are made of A class hot-rolled strip metal comprising of 0.12% Carbon and are made using a roll forming process and a longitudinal welding technique (the exemption goods).

For this application we are adding Curtain Rod in lengths 1.0 metres and 3.5 metres.

In these circumstances, we believe the Exempt Goods are not readily available in the Australian marketplace, and on that basis, seek an exemption from the dumping and countervailing duties.

Thank you.

Yours sincerely,

20.12.2022

Group Companies  
SULLIVANS  
Sullivan International Pty Ltd  
28/30 William Street East Brisbane Australia  
Telephone: 01 9 274 4872 Facsimile: 01 9 274 4873  
Email: info@sullivan.net

USA  
Sullivan (USA) Inc  
1341 Muldaugh Avenue, Des Moines, Iowa, USA 50319  
Telephone: 515 281 1234 Facsimile: 515 281 1235  
Email: sullivanusa@sullivan.net

[REDACTED]

---

From: [REDACTED]  
Sent: Friday, 2 December 2022 10:03 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: Metal Curtain Rods - Dumping duty Exemption Application

Hi [REDACTED]

Have received your email and reviewed.

Can confirm we don't manufacture in 0.4mm wall thickness with powder coating and bundling as indicated. We would not object assuming exemption application was similar to Pillar's and other similar exemption applications. We would object to 1mm wall thickness as per some of the email thread indicates.

Please progress with your exemption application so we can assess further on that basis.

Thanks!

Kind Regards,

[REDACTED]

[REDACTED]

Sent: Friday, 2 December 2022 9:46 AM

To: Info Marketing E-mail <info@orrcon.com.au>: [REDACTED]

Subject: FW: Metal Curtain Rods - Dumping duty Exemption Application

Dear [REDACTED] – ORRCON STEEL, Resend.

Hello. My name is [REDACTED] and I am one of the Purchasing Officers at M.T. SULLIVAN & CO PTY LTD. Established for over thirty years, Sullivans is an Australian manufacturer and wholesaler, distributing a wide range of fabrics, decorative trimmings, curtain accessories, curtain tracking and a comprehensive range of sewing accessories and craft products to retail outlets throughout Australia.

We sell a range of 16mm metal powder coated curtain rods in White, Ivory and Black.

Some years ago, we purchased these items from an Australian Manufacturer, however we now import these from overseas. The Australian manufacturer is no longer producing these curtain rods. We find there is no other Australian source for these curtain rods.

Unfortunately, we have been caught up in the Dumping Duty that has been applied to **Precision Pipe and Tube Steel** exported to Australia from the People's Republic of China and the Republic of Korea.

We, and our customs agents, were unaware of this Dumping Duty that is now applied to these curtain rods at the time of our last shipment in August of 2021.

We are looking to apply for a Duty Exemption on our range of Curtain Rods and note that you supported another company with their Exemption application for the same products. As per attached copy email from the public record on the Australian Government Website.

We require additional sizes to also be included to the current exemption. We have shorter **1mt lengths** and longer **3.5mt lengths** in our range.

As ORRCON is the Industry Leader, I am writing to you in the hope you will also support our Exemption application for the same metal coated Curtain Rod items - in lengths of 1mt, 1.5mt, 2mt, 2.5mt, 3mt and 3.5mt. OD of 16mm, 0.4mm gauge wall thickness.

**Powder coated – WHITE, IVORY and BLACK.**

Each rod is in heat seal plastic with barcode sticker applied and 10 rods are bundled together. 40 rods are packed into each outer shipping carton. As per our attached curtain rod brochure for your reference.

We understand the curtain rods are made of A class hot-rolled strip metal comprising of 0.12% carbon and are made using a roll forming process and a longitudinal welding technique.

These curtain rods fall under the HS tariff code of 7306.30.00.

I did contact ORRCON last year by email to enquire if you could supply the curtain rods as we required, however I was advised Orrcon Steel could not help us – only supply the raw steel in similar specs but not as powder coated curtain rods.

I have attached the emails for your review. Unfortunately, the emails do not have appeared to be passed onto you at that time for further consideration.

I hope to hear back from you soon regarding your support for our Exemption application on dumping duty for our range of 16mm metal powder coated Curtain rods.  
Many thanks.



The Sullivans office will be closed from 22.12.2022 until 03.01.2023. Merry Christmas!  
Kind Regards



M.T. Sullivan & Co. Pty. Ltd  
40 Parramatta Rd Underwood Qld 4119 Australia

Phone: +61 7 32094799  
Fax: +61 7 32089410  
Web: [www.sullivans.net](http://www.sullivans.net)

From: [Redacted]  
Sent: Wednesday, 30 November 2022 4:27 PM  
To: [Redacted]  
Cc: [Redacted]  
Subject: Metal Curtain Rods - Dumping duty Exemption Application  
Importance: High

Dear [Redacted] – ORRCON STEEL,



Hello. My name is [REDACTED] and I am one of the Purchasing Officers at M.T. SULLIVAN & CO PTY LTD. Established for over thirty years, Sullivans is an Australian manufacturer and wholesaler, distributing a wide range of fabrics, decorative trimmings, curtain accessories, curtain tracking and a comprehensive range of sewing accessories and craft products to retail outlets throughout Australia.

We sell a range of 16mm metal powder coated curtain rods in White, Ivory and Black.

Some years ago, we purchased these items from an Australian Manufacturer, however we now import these from overseas. The Australian manufacturer is no longer producing these curtain rods. We find there is no other Australian source for these curtain rods.

Unfortunately, we have been caught up in the Dumping Duty that has been applied to **Precision Pipe and Tube Steel** exported to Australia from the People's Republic of China and the Republic of Korea.

We, and our customs agents, were unaware of this Dumping Duty that is now applied to these curtain rods at the time of our last shipment in August of 2021.

We are looking to apply for a Duty Exemption on our range of Curtain Rods and note that you supported another company with their Exemption application for the same products. As per attached copy email from the public record on the Australian Government Website.

We require additional sizes to also be included to the current exemption. We have shorter **1mt lengths** and longer **3.5mt lengths** in our range.

As ORRCON is the Industry Leader, I am writing to you in the hope you will also support our Exemption application for the same metal coated Curtain Rod items - in lengths of **1mt, 1.5mt, 2mt, 2.5mt, 3mt and 3.5mt.**

**OD of 16mm, 0.4mm gauge wall thickness.**

**Powder coated – WHITE, IVORY and BLACK.**

Each rod is in heat seal plastic with barcode sticker applied and 10 rods are bundled together. 40 rods are packed into each outer shipping carton. As per our attached curtain rod brochure for your reference.

We understand the curtain rods are made of A class hot-rolled strip metal comprising of 0.12% carbon and are made using a roll forming process and a longitudinal welding technique.

These curtain rods fall under the HS tariff code of 7306.30.00.

I did contact ORRCON last year by email to enquire if you could supply the curtain rods as we required, however I was advised Orrcon Steel could not help us – only supply the raw steel in similar specs but not as powder coated curtain rods.

I have attached the emails for your review. Unfortunately, the emails do not have appeared to be passed onto you at that time for further consideration.

I hope to hear back from you soon regarding your support for our Exemption application on dumping duty for our range of 16mm metal powder coated Curtain rods.  
Many thanks.



The Sullivans office will be closed from 22.12.2022 until 03.01.2023. Merry Christmas!  
Kind Regards





M.T. Sullivan & Co. Pty. Ltd  
40 Parramatta Rd Underwood Qld 4119 Australia

Phone: +61 7 32094799

Fax: +61 7 32089410

Web: [www.sullivans.net](http://www.sullivans.net)

This E-Mail message and any files transmitted with it are confidential, legally privileged or proprietary. It is intended only for use by the intended recipient. If you are not the intended recipient, you have received this E-Mail message in error. You are notified that any review, copying or distribution of this E-Mail message or attachment, or the contents and any data contained therein, is strictly prohibited. Please do not print, copy, retransmit, or otherwise use or rely on this E-Mail message or attachment. If you have received this message in error, please notify the sender immediately and delete the message. Views expressed in this email are only those of the sender and do not necessarily represent those of BlueScope Steel Pty Ltd.