



ANTI-DUMPING NOTICE NO 2024/011

Precision Pipe and Tube Steel exported from the People's Republic of China and the Republic of Korea Findings of Exemption Inquiry No. 0097

Customs Tariff (Anti-Dumping) Act 1975

I, Isolde Lueckenhausen, the Acting Commissioner of the Anti-Dumping Commission, have completed exemption inquiry EX0097. This inquiry concerns certain precision pipe and tube steel (the goods) exported to Australia from the People's Republic of China (China) and the Republic of Korea (ROK) subject to anti-dumping measures.

The exemption was sought under sections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Minister for Industry and Science (the Minister) may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (collectively, the duties) if satisfied:

that 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.

The anti-dumping measures

Anti-dumping measures, in the form of a dumping duty notice and countervailing duty notice, were initially imposed on the goods by public notice on 28 September 2021. This followed the then Acting Minister for Industry, Science and Technology's consideration of *Anti-Dumping Commission Report No 550*. The dumping duty notice applies to all exporters from China and the ROK. The countervailing duty notice applies to all exporters from China, other than Dalian Steelforce Hi-Tech Co., Ltd and Yantai Aoxin International Trade Co., Ltd. Further details about the anti-dumping measures and the duties are available on the Anti-Dumping Commission (the commission) website:

www.adcommission.gov.au.

The goods subject to measures may be classified under the following subheadings in Schedule 3 of the *Customs Tariff Act 1995*:

Tariff Subheading	Statistical Code	Description
7306		OTHER TUBES, PIPES AND HOLLOW PROFILES (FOR EXAMPLE, OPEN SEAM OR WELDED, RIVETED OR SIMILARLY CLOSED), OF IRON OR STEEL:
7306.30.00		Other, welded, of circular cross-section, of iron or non-alloy steel:
	30	Not exceeding 21 mm external diameter
7306.50.00		
	45	Other, welded, of circular cross-section, of other alloy steel

Tariff Subheading	Statistical Code	Description
7306		OTHER TUBES, PIPES AND HOLLOW PROFILES (FOR EXAMPLE, OPEN SEAM OR WELDED, RIVETED OR SIMILARLY CLOSED), OF IRON OR STEEL:
7306.6		Other, welded, of non-circular cross-section
7306.61.00		Of square or rectangular cross-section, of iron or non-alloy steel, not exceeding 279.4 mm perimeter:
	21	Wall thickness not exceeding 2 mm

Table 1: General tariff classification for the goods

The exemption goods

The goods the subject of the exemption inquiry (the exemption goods) are:

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

The curtain rods come in lengths 1metre 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.

The inquiry

An application was lodged by M.T. Sullivan & Co Pty Ltd on 20 December 2022. After examining the application, the then Commissioner initiated an exemption inquiry on 16 March 2023.

I made a recommendation to the Minister that he exempt the exemption goods from the duties in accordance with sections 8(7)(a) and 10(8)(a) of the Dumping Duty Act. The reasons for my recommendation are set out in *Exemption Inquiry Report No 0097* (REP EX0097).

The Minister has accepted my recommendation and has exempted the exemption goods from the duties through *Ministerial Exemption Instrument No 1 of 2024 (the exemption instrument)*. The exemption takes effect from 20 December 2022.

A copy of REP EX0097 and the exemption instrument are available on the commission website (www.adcommission.gov.au).

Further information

If importers believe that goods they are importing are exempted from the duties in accordance with the exemption instrument, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no interim dumping or interim countervailing duties will be applied to the shipment. Parties seeking a refund of the duties already paid should contact the commission's client support team on 13 28 46 or +61 2 6213 6000 or email: clientsupport@adcommission.gov.au.

The decision to grant the exemption does not prevent further applications for exemptions from the duties being considered. Parties can apply for an exemption where they believe certain goods satisfy any of the conditions for exemption detailed in sections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found on the commission's website.

The exemption granted as a result of this inquiry may be subject to review and may be revoked by the Minister if circumstances change.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the commission on 13 28 46 or +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.

Isolde Lueckenhausen
Acting Commissioner
Anti-Dumping Commission

10 May 2024