PUBLIC RECORD VERSION

Tim King
21st ebruary 2017
Assistant Director | Anti-Dumping Commission
55 Collins Street, Melbourne VIC

Submission – PUBLIC RECORD VERSION

Dear Tim,

Further to the submission by Double A (1991) dated 23rd December 2016 and the meeting with the commission on Friday 17th February 2017 to clarify the submission, [redacted] These matters must be considered by the Commission prior to the recommendation to the Parliamentary Secretary.

Non Injurious Price (NIP)

In submission dated 22nd Nov 2016 (Confidential Attachment 8), Double A (1991) has raised significant concerns to the commission regarding the pricing of goods supplied by the Applicant subsequent to the acquisition of Edwards Dunlop Office Products (EDOP) [redacted]
{confidential customer/corporate information}

This information is relevant to this case as it is directly related to the implementation of dumping duties from 21st Nov 2016 onwards.

The specific concerns relate to the supply of goods that were previously from APRIL mill and have been switched to supply by Applicant subsequent to the acquisition:

[redacted]

[redacted]

[redacted] {confidential customer/corporate information}

บริษัท ดั๊บเบิ้ล เอ (1991) จำกัด (มหาชน)
(ทะเบียนเลขที่ 0107537000602)
สำนักงานใหญ่ 1 หมู่ 2 ต.ท่าตูม อ.ศรีมหาโพธิ จ.ปราจีนบุรี 25140
โทร : (037) 208800-39 แฟกซ์ : (02) 6591441

DOUBLE A (1991) PUBLIC COMPANY LIMITED
Head Office 1 Moo 2, Tha Toom, Amphur Sri Maha Phote, Prachinburi 25140 Thailand
Tel : (6637) 208800-39 Fax : (662) 6591441

[redacted]

{confidential information provided to Commission in previous submission}

As at the publication of the SEF these issues have not been addressed by the commission

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

{confidential customer/corporate information}

The pricing offers were as below:

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[redacted]

[redacted] {confidential customer/corporate information}

The comparable pricing for Double A A4 branded product (currently subject to 13.4% dumping duty in SEF) [redacted] is as follows:

[redacted]

[redacted] {confidential customer/corporate information}

[redacted]

[redacted]

[redacted]

[redacted] {confidential customer/corporate information}

In the SEF the commission has provisionally found that the NIP is above the export price + Dumping Margin of 13.4% for Double A 1991 goods (page 11 – note Thailand was erroneously not included according to discussion with Commission) and that *the Commission has calculated a non-injurious price (NIP) for exports of A4 copy paper from Thailand that is considered to be the minimum price necessary to prevent the injury, or a recurrence of the injury, caused by the dumped and/or subsidised goods.(pg 91).*

In summary:

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[redacted] {confidential customer, product and pricing information}

- In SEF, ADC has preliminarily determined that Double A A4 should be subject to Dumping Margin of 13.4% on combination duty basis
- In SEF, ADC has preliminarily determined that the Non Injurious Price is above the Export Price + Dumping Margin of 13.4%

[redacted]

{confidential customer/corporate information}

This would entitle the Applicant to extraordinary profit margins of approximately [redacted] {confidential product and pricing information} is entirely unreasonable.

It is thus demonstrably clear that based [redacted] {confidential customer/corporate information}

the NIP in relation to Double A (1991) goods must be reassessed.

Double A (1991) have provided extensive evidence to date on this matter, however given the material impact of this issue, Double A (1991) insist that if the commission requires any further substantiation regarding this matter that the commission must conduct end user visits [redacted]. {confidential customer/corporate information}

Double A (1991) insist that if the commission requires any further substantiation regarding distributor margin and the pricing of Double A to [redacted] {confidential customer/corporate information} that the commission must conduct an end user visit [redacted] {confidential customer information} These should be conducted prior to the recommendation to the Parliamentary Secretary.

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[redacted] {confidential customer/corporate information} Double A (1991) insist that the USP and NIP be recalculated based on [redacted] {confidential customer/corporate information} Given the significant material impact of this matter on the case, this must be completed prior to the recommendation to the Parliamentary Secretary.

The above evidence provides further substantiation to the submission from Double A (1991) that that the combination duty type as currently proposed is not appropriate in the case of Double A (1991) goods.

Given the [redacted] {confidential product and pricing information} ,if any duty is to be imposed, it would be more appropriate to implement a floor price duty which does not penalise Double A (1991) goods for the increase in pricing during and since 2015.

Furthermore given that the [redacted] {confidential customer/corporate information}

We anticipate that the above provides sufficient information to support the position of Double A (1991) on these matters and consideration of the commission, however please advise if any further information is required.

Yours Sincerely

For and on behalf of
Double A (1991) Public Co., Ltd.

Double A
Double A (1991) Public Company Limited

Mr.Thirawit Leetavorn
Senior Executive Vice President

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