

Ms Joanne Reid  
Director Operations 2  
International Trade Remedies Branch  
Australian Customs and Border Protection Service  
Customs House  
5 Constitution Avenue  
CANBERRA ACT 2601

26 July 2011

Dear Ms Reid

**Clear Float Glass exported from Indonesia, Thailand and the People's Republic of China**

**Resumption of investigation - ACDN 2011/10 refers**

JELD-WEN Australia Pty Ltd makes the following submission in response to Blackburn Croft & Co Ltd's submission dated 1 July 2011 in relation to the above re-investigation.

While the submission by Blackburn Croft & Co Ltd of 1 July repeats much of the material contained in the Appeal document, there is a significant admission concerning internal transfers that was not contained in previous submissions.

In their Appeal submission, Blackburn Croft & Co Ltd contended that some of the decline in internal transfers was due to the effects of dumping (para 7.24). In the submission of 1 July, Blackburn Croft & Co Ltd concedes for the first time, that some of the decline in internal transfers in YEM2010 was due to the 'smaller market . . . for 3-12 mm CFG'.

If dumping was in play, then it could affect Viridian Upstream through two channels:

- *directly* through the loss of sales of CFG to Independent Glass Processors and/or
- *indirectly* through reduced internal transfers to Viridian Downstream as dumped imports caused a loss of market share at the downstream level.

In relation to the first point, external sales of CFG to Independent Glass Processors increased. And in relation to the second point, according to Customs, Viridian did not argue that Viridian Upstream lost CFG volumes due to displacement at the downstream level from dumped imports. Since the volume of internal transfers is related directly to the demand for CFG from Viridian Downstream, then other factors have to explain the reduction in internal transfers.

Customs concluded in the Termination Report that the decline in internal transfers reflected 'operational arrangements' in Viridian. It would appear that Customs is referring to the CFG that had been transferred to DMS and processed as laminate. The laminate volumes produced at DMS were reversed on 1 April 2009 and credited to Viridian Primary Products,

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which had the effect of reducing internal transfers of CFG from Viridian Upstream to Viridian Downstream and increasing the volume of Bulk Processed Glass at the Primary Products level.

Blackburn Croft & Co Ltd contends that the reduction in CFG volumes was greater than the adjustment made to internal transfers and that was due to dumping (later amended to allow partly for the slump in building activity). Blackburn Croft & Co Ltd provided to Customs information on CFG retained at the Primary Products level for 'internal processing'. Para 7 of the 1 July submission describes volumes retained for internal processing as 'laminated glass, toughened door panels and mirrors'. There is no mention of Tint and Coated CFG, which are produced on the float line, which raises the question as to whether Blackburn Croft & Co Ltd provided volumes of Tint and Coated to Customs.

As previously suggested in our submission of 1 July 2011, we would recommend that Customs closely analyse the impact of the change in mix of Viridian's business over the relevant period and its increased focus on more energy efficient glass on the underlying demand for CFG.

Please contact the undersigned on [REDACTED] if you would like to clarify any aspect of this submission.

Yours sincerely

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JELD-WEN Australia Pty Limited