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PUBLIC RECORD

Australian Customs and Border Protection Service
Customs House
5 Constitution Avenue
Canberra, ACT 2601
AUSTRALIA

BY EMAIL

Attention: Director Operations, International Trade Measures Branch

Dear Joanne Reid

RE: RESUMED INVESTIGATION – CLEAR FLOAT GLASS FROM
THE PEOPLE'S REPUBLIC OF CHINA, INDONESIA AND THAILAND

1. The Jeld-Wen submission dated 1 July 2011 was obtained from the Electronic Public Record on Monday 25 July 2011. It was only on Friday 22 July that we were advised by Australian Customs and Border Protection that there were two case references (159 and 159C) for the resumed investigation. Originally we were advised by Australian Customs and Border Protection that the resumed investigation would continue with documents being placed on Case 159.

2. We understand that Customs intends to publish the Statement of Essential Facts on Friday 29 July. We would expect that Customs has, as of today, essentially completed its analysis and conclusions relating to the SEF. Obviously the delay in accessing the Jeld-Wen submission precludes Viridian from making an in-depth response which would be able to be taken into account prior to the publication of the SEF.

3. The Jeld-Wen submission contains a number of areas which Viridian would normally respond to. However, given the time constraints Viridian has limited its comments to the "... factors other than dumping" mentioned in Jeld-Wen's covering letter to its submission.

4. Jeld-Wen's letter noted:

- (a) a step change in the Australian glass market with increased take up and preference for value add Energy Efficient Glass leading to reduced share and contribution of CFG to the Viridian Upstream business;

Customs has been provided with Viridian's production volumes which do not support Jeld-Wen's observation. Furthermore, the G James Visit Report (1 June 2011, obtained from the Public Record on 13 July 2011) noted:

Viridian's Annual Reports noted that energy efficient glass products were beginning to grow in the market. G James was asked their view and stated that the uptake was dependant (sic) on the location where the glass is being sold. G James presented analogies in climates around the world and stated that although Melbourne was perceived to be a cold climate, on a global scale it was quite temperate and thus the uptake of energy efficient glass was less than in overseas markets where insulation is more essential. (paragraph 4.5)

5. Jeld-Wen's letter noted:

- (b) a decline in activity in the commercial and residential sectors due, amongst other things, to the global financial crisis;

The reduction in market volumes in YEM2010 was discussed in Viridian's submission of 1 July 2011 and it was noted that in YEM2010 (Table 2) the volume market share of dumped imports increased.

6. Jeld-Wen's letter noted:

- (c) systemic service failures (acknowledged by CSR) in the processing and distribution division, Viridian Downstream that forced customers, such as window fabricators and glass merchants to switch to large-scale local Independent Glass Processors, that spread their purchases of CFG between Viridian Upstream and imports; and

This issue was closely examined in the original investigation. Viridian commented on this issue at the meeting with Customs in Canberra on Thursday 7 July and a copy of the Customer Survey presented in the original investigation was sent to Customs on Tuesday 12 July 2011.

7. Jeld-Wen's letter noted:

- (d) increased import price competition due to a strengthening Australian dollar, a factor regularly acknowledged by CSR.

As has previously been noted, a strengthening exchange rate does not remove the injurious dumping. For clarification, the Reserve Bank of Australia historical daily exchange rate data shows the AUD/USD average daily rate was 0.79 in YEM2009, and 0.85 in YEM2010 (the twelve month dumping investigation period). The injury investigation period ended 31 March 2010. The AUD first achieved parity, according to the RBA data, in October/November 2010 resulting in an average daily exchange rate for YEM2011 of 0.94.

Yours sincerely



J. Croft