

PUBLIC RECORD



Australian Government  
Department of Industry,  
Innovation and Science

Anti-Dumping  
Commission

*Customs Act 1901 – Part XVB*

**A4 Copy Paper**

**Exported from the People's Republic of China**

**Findings in relation to a subsidy investigation**

***Public notice under subsections 269TJ(1) and (2) of the Customs Act 1901***

***Anti-Dumping Notice (ADN) 2017/40***

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed the investigation into the alleged subsidisation of A4 Copy Paper exported to Australia from the People's Republic of China (China).

**The goods:**

The goods the subject of the investigation (the goods) are:

*uncoated white paper of a type used for writing, printing or other graphic purposes, in the nominal basis weight range of 70 to 100 gsm and cut to sheets of metric size A4 (210mm x 297mm) (also commonly referred to as cut sheet paper, copy paper, office paper or laser paper).*

**Further information on the goods:**

*The paper is not coated, watermarked or embossed and is subjectively white. It is made mainly from bleached chemical pulp and/or from pulp obtained by a mechanical or chemi-mechanical process and/or from recycled pulp.*

The goods are generally, but not exclusively, classified to the following tariff subheadings in Schedule 3 to the *Customs Tariff Act 1995* and are not subject to customs duty.

- 4802.56.10, statistical code 03; and
- 4802.56.10, statistical code 09.

These tariff classifications and statistical codes may include goods that are both subject and not subject to this investigation. The listing of these tariff classifications and statistical codes are for convenience or reference only and do not form part of the goods description.

The Commissioner reported his findings and recommendations to me in *Anti-Dumping Commission Report No. 341* (REP 341). REP 341 outlines the investigation carried out and recommends the publication of a countervailing duty notice in respect of the goods.

Since providing REP 341 to me, the Commissioner advised me in a letter dated 12 April 2017 that he has amended his findings and recommendations to me in relation to the countervailable subsidy investigation concerning goods exported to Australia from China by:

- (i) Asia Symbol (Guangdong) Paper Co., Ltd. and Greenpoint Global Trading (Macao Commercial Offshore) Ltd (collectively Asia Symbol), and
- (ii) uncooperative and all other exporters;

Accordingly, the Commissioner terminated the countervailable subsidy investigation in so far as it relates to Asia Symbol.

Particulars of the subsidy programs and level of countervailable subsidisation are summarised in the following table:

| Country | Exporter   | Countervailable subsidy programs* | Subsidy margin | Duty method                |
|---------|--|-----------------------------------|----------------|----------------------------|
| China   | Uncooperative and all other exporters (except Asia Symbol and UPM <sup>1</sup> ) | 1 and 6-38                        | 7.0%           | Proportion of export price |

\*The names and details of the each of the countervailable subsidy programs are available in REP 341

I, CRAIG LAUNDY, Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science,<sup>2</sup> have considered, and accepted, the recommendations of the Commissioner, the reasons for the recommendations, the material findings of fact and law on which the recommendations are based and the evidence relied on to support those findings in REP 341.

I am satisfied, as to the goods that have been exported to Australia from China, that countervailable subsidies have been received in respect of the goods and because of that, material injury to the Australian industry producing like goods would or might have been caused if security had not been taken. Therefore under subsection 269TJ(1) of the *Customs Act 1901* (the Act), I DECLARE that section 10 of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act) applies to:

- (i) the goods; and
- (ii) subject to section 45 and subsection 269TN(2) of the Act, like goods that were exported to Australia for home consumption on or after 20 December 2016, which is when the Commonwealth took securities following the Commissioner's Preliminary Affirmative Determination published on 19 December 2016 under section 269TD of the Act, but before the publication of this notice.

I am also satisfied that countervailable subsidies have been received in respect of the goods that have already been exported to Australia and that countervailable subsidies may be received in respect of like goods that may be exported to Australia in the future, and because of that material injury to the Australian industry producing like goods has been caused. Therefore under subsection 269TJ(2) of the Act, I DECLARE that section 10 of the Dumping Duty Act applies to like goods that are exported to Australia after the date of publication of this notice.

This declaration applies in relation to all exporters of the goods and like goods from China, with the exception of UPM (China) Co., Ltd and UPM Asia Pacific Pte Ltd (collectively UPM) and Asia Symbol.

<sup>1</sup> On 12 April 2017, the Commissioner terminated the countervailable subsidy investigation in so far as it relates to UPM. Anti-Dumping Notice No. 2017/34 on the Anti-Dumping Commission's website, [www.adcommission.gov.au](http://www.adcommission.gov.au) refers.

<sup>2</sup> On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this decision the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

The considerations relevant to my determination of material injury to the Australian industry caused by subsidisation are the size of the subsidy margins, the effect of subsidised imports on prices in the Australian market in the form of price undercutting and the consequent impact on the Australian industry including:

- loss of sales volume;
- price suppression;
- price depression;
- reduced profits and profitability; and
- reduced revenue from A4 copy paper.

In making my determination, I have considered whether the Australian industry is being injured by a factor other than the exportation of subsidised goods, and I have not attributed injury due to other factors to the exportation of those subsidised goods.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

Particulars of the export price and non-injurious price (as ascertained in the confidential tables to this notice) will not be published in this notice as they may reveal confidential information.

Clarification about how measures and securities are applied to 'goods on the water' is available in ACDN 2012/34, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

REP 341, the Commissioner's letter to me of 12 April 2017 and other documents included in the public record may be examined at the Anti-Dumping Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2447, fax number +61 3 8539 2499 or email at [operations2@adcommission.gov.au](mailto:operations2@adcommission.gov.au).

Dated this 18<sup>th</sup> day of April 2017



CRAIG LAUNDY

Assistant Minister for Industry, Innovation and Science  
Parliamentary Secretary to the Minister for Industry, Innovation and Science