



Australian Government
Australian Customs and
Border Protection Service



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2012/09

Polyvinyl Chloride Homopolymer Resin (PVC)

Exported from Japan

Initiation of a continuation inquiry

The Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) will undertake an inquiry into whether the continuation of anti-dumping measures on polyvinyl chloride homopolymer resin (PVC), exported from Japan is justified. The inquiry will commence on 24 February 2012.

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are PVC. The goods subject to the measures do not include PVC compounds, pastes or emulsion grades.

PVC is a white free flowing powder that is used in combination with other chemicals to produce a variety of products. PVC is sold to a range of processors who either extrude, inject, mould or blow mould the PVC to make a wide variety of goods. The major end-use of PVC based products is in the building and construction sector (e.g. pipes and fittings, cables, house cladding, gutters, down pipes, flooring and window frames). PVC based products are also used in packaging, upholstery and domestic appliances.

PVC is classified under sub-heading 3904.10.00, statistical code 18, in Schedule 3 to the *Customs Tariff Act 1995*. The rate of duty from Japan is 5%.

The measures apply to all exporters from Japan.

Background to the measures

Since 1992 there have been a number of anti-dumping investigations, continuation inquiries, or reviews of measures in respect of PVC. Measures have been imposed on numerous countries including Brazil, Canada, China, France, Hungary, Israel, Japan, Korea, Mexico, Norway, Saudi Arabia, Thailand, and the USA.

Anti-dumping measures were imposed on PVC from Japan in 1992 and have been the subject of continuation inquiries every five years since then. The measures on imports from Japan are due to expire on 21 October 2012.

The measures are in the form of anti-dumping duties that apply where the export price of the goods exported is lower than the ascertained normal value and non-injurious free on board price.

The current continuation inquiry

On 7 February 2012, Australian Vinyls Corporation ("AVC") Pty Ltd, the sole producer of PVC in Australia lodged an application for the continuation of anti-dumping measures on exports of PVC exported from Japan.

Following consideration of the application the CEO decided not to reject the application. A notice indicating that it is proposed to conduct a continuation inquiry was published in *The Australian* newspaper on 24 February 2012.

Lodgement of submissions

Interested parties are invited to lodge written submissions concerning the continuation of anti-dumping measures for PVC exported from Japan not later than **4 April 2012** with:

The Director
Operations 1, International Trade Remedies Branch
Australian Customs and Border Protection Service
5 Constitution Avenue
Canberra ACT 2601

or by email tmops1@customs.gov.au, or fax number 02 6275 6990.

Confidential submissions must be clearly marked "In-Confidence" and be accompanied by two non-confidential versions suitable for placement on the public record. All non-confidential submissions will be placed on the public record for this inquiry together with a copy of all relevant correspondence between Customs and Border Protection and other persons.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- satisfy the CEO that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Statement of essential facts and final report

A statement of the essential facts on which the CEO proposes to base a recommendation to the Minister for Home Affairs (the Minister) will be placed on the public record by 13 June 2012, or such longer period as the Minister allows.

Interested parties are invited to lodge submissions in response to the statement of essential facts within 20 days of that statement being placed on the public record. These submissions should also be lodged with Customs and Border Protection at the above mail, fax or email addresses. A report and recommendation to the Minister will be made on or before 30 July 2012 (or such longer period as the Minister allows).

Particulars of the reasons for the decision to initiate this inquiry are shown in Consideration Report No. 184 (CON 184) held on the public record. Interested parties wishing to examine the public record may do so on the internet at adpr.customs.gov.au/Customs or at Customs House, 5 Constitution Avenue, Canberra ACT during business hours by contacting International Trade Remedies office management on telephone number 02 6275 6547. CON 184 and all Australian Customs Dumping Notices are also available on the Customs and Border Protection website at www.customs.gov.au.

Review of the measures

The CEO will also undertake a concurrent review of the normal values and non-injurious free on board prices (NIFOBs) applying to PVC exported from the United States of America and Japan.

PUBLIC
FILE

FOLIO
46

The review will commence on 24 February 2012. Customs and Border Protection will be examining revocation of the measures during the review.

Further details of the review are contained in ACDN 2012/09 and CON 185 available on the internet and from International Trade Remedies office management.

Customs and Border Protection contact

Enquiries about the inquiry and review may be directed to the case team on telephone number 02 6245 5434 or email tmops1@customs.gov.au.

Justin Wickes
A/g National Manager
International Trade Remedies Branch
24 February 2012