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14 November 2011

Mr Michael Kenna  
Case Manager, Operations 3  
International Trade Remedies Branch  
Australia Customs and Border Protection Service  
Customs House  
5 Constitution Avenue  
CANBERRA ACT 2601

Dear Mr Kenna

**Public File****Trade Measures Inquiry No. 176 - Structural Timber from Austria, Canada, the Czech Republic, Estonia, Germany, Lithuania, Sweden and the USA - Like Goods**Introduction

I refer to recent discussions concerning assertions by North American exporters that green Douglas Fir structural timber exported to Australia does not fall within the goods description identified in the Australian industry's application for dumping measures on certain structural timber exported from Austria, Canada, the Czech Republic, Estonia, Germany, Lithuania, Sweden and the USA.

Goods description

ACDN No. 2011/41 and Consideration Report No. 176 identified the goods the subject of the application as follows:

*Structural timber, being coniferous wood that is sawn or chipped lengthwise, capable of being used in structural applications in accordance with the Building Code of Australia and that:*

- *has a thickness exceeding 6mm, and*
- *has a cross-sectional area of less than 120cm<sup>2</sup>; and*
- *is untreated, or treated to meet the requirements of hazard class H1 or H2 as specified in Australian Standard AS1604.1.*

*For clarification, the goods do not include weatherboards, laminated veneer lumber, glued laminated timber or timber treated to a level above hazard class H2 but do include end-jointed or finger-jointed structural timber.*

Douglas Fir

The application description did not specify species of timber that may be used in accordance with the Building Code of Australia. It is noted that some importers of structural timber nominate pine, spruce and Douglas Fir as the imported timbers supplied for structural applications<sup>1</sup>.

<sup>1</sup> Refer Stora Enso Australia Product Specification Sheet.

Douglas Fir, therefore is a timber that meets the requirements of the Building Code of Australia for use in structural timber applications.

The Australian industry<sup>2</sup> understands that representations have been made to the Australian Customs and Border Protection Service ("Customs and Border Protection") requesting clarification as to whether *green* Douglas Fir structural timber is intended for coverage within the goods description.

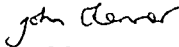
As indicated, imported structurally rated Douglas Fir has been imported and used in accordance with the Building Code of Australia and is therefore included within the goods description. The suggestion is that "green" Douglas Fir be excluded from the goods description. It is noted that green Douglas Fir in question is sawn timber that is not kiln dried, but carries a structural rating. The green Douglas Fir timber is planned to the applicants knowledge. Green Douglas Fir timber may be used in applications that comply with the Building Code of Australia. Furthermore, Australian Standards have provisions allowing green structural Douglas Fir to be substituted for locally manufactured timbers used in structural applications (refer AS 2858).

#### Conclusion

The Australian industry submits that green Douglas Fir is covered by the goods description as identified in ACDN No 2011/41 and Consideration Report No 176, and can be used interchangeably with locally produced structural timbers. It is further submitted that the Australian industry manufactures like goods to imported green Douglas Fir structural timber.

If you have any questions concerning this letter, please do not hesitate to contact me on (07) 3342 1921.

Yours sincerely



John O'Connor  
Director

Cc Mr Tim Sherry, CHH Woodproducts Australia Pty Ltd  
Ms Christine Briggs, Gunns Limited  
Mr Chris Robertson, Hyne and Sons Pty Ltd

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<sup>2</sup> As represented by BSG, Hyne & Sons, and Gunns Limited, the applicant companies requesting anti-dumping measures on structural timber exported from the nominated sources.