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Australian Government
Department of Industry,
Innovation and Science

Anti-Dumping
Commission



EXPORTER QUESTIONNAIRE

Product: AMMONIUM NITRATE

Exported From: THE PEOPLE'S REPUBLIC OF CHINA, SWEDEN AND
THE KINGDOM OF THAILAND

Period of investigation: 1 APRIL 2017 to 31 MARCH 2018

Response due by: 1 AUGUST 2018

Important note: The Commissioner of the Anti-Dumping Commission will reject all requests for a longer period to provide a response to this exporter questionnaire received after this date. Extensions requested before this date will *only* be agreed to where necessary and reasonable.

CASE CONTACT

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RETURN OF QUESTIONNAIRE

**Return completed
questionnaire to:** investigations2@adcommission.gov.au
OR

Attention: Director, Investigations 2
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601
Australia

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BACKGROUND

Background

Following an application by CSBP Limited, Orica Australia Pty Ltd and Queensland Nitrates Pty Ltd, the Anti-Dumping Commission (the Commission) has initiated an investigation into the allegation that ammonium nitrate from the People's Republic of China, Sweden and the Kingdom of Thailand (Thailand) has been exported to Australia at dumped prices, and because of that dumping, material injury has been caused to an Australian industry producing like goods.

Anti-Dumping Notice (ADN) No. 2018/103 outlines the details of the investigation, and the procedures to be followed during the investigation, and can be accessed on the Commission's website at www.adcommission.gov.au.

Goods under consideration

The goods under consideration ("the goods", or GUC), i.e. the goods exported to Australia at allegedly dumped prices, are:

Ammonium nitrate, prilled, granular or in other solid form, with or without additives or coatings, in packages exceeding 10kg.

Tariff classification

The goods are generally classified to tariff classification 3102.30.00 (statistical code 05) in Schedule 3 to the *Customs Tariff Act 1995*.

This tariff classification and statistical code may include goods that are both subject and not subject to this investigation. The listing of this tariff classification and statistical code is for convenience or reference only and does not form part of the goods description. Please refer to the goods description for authoritative detail regarding goods that are the subject of this investigation.

Investigation period

The existence and amount of any dumping in relation to ammonium nitrate exported to Australia from China, Sweden and Thailand will be determined on the basis of an investigation period from 1 April 2017 to 31 March 2018 (hereinafter referred to as 'the investigation period').

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INSTRUCTIONS

Why you have been asked to fill out this questionnaire

The Commission is responsible for investigating the allegation that ammonium nitrate has been exported to Australia from China, Sweden and Thailand at prices less than their normal value and that the dumping has caused material injury to the Australian industry.

The Commission will use the information you provide to determine normal values and export prices over the investigation period. This information will determine whether ammonium nitrate is dumped. You may make separate submissions concerning any other matter, for example injury.

The Commission's investigation will be carried out under the provisions of the Part XVB of the *Customs Act 1901*.

What happens if you do not respond to this questionnaire?

You do not have to complete the questionnaire. However, if you do not respond, do not provide all of the information sought, do not provide information within a reasonable time period, or do not allow the Commission to verify the information, the Commission may deem you uncooperative. In that case, the Commission may be required to rely on information supplied by other parties (possibly information supplied by the Australian industry), and it may assess a dumping margin for your company based upon normal values that may be the highest determined in your country during the investigation period.

It is in your interest, therefore, to provide a complete and accurate submission, capable of verification.

Due date for response

Manufacturers and exporters are requested to respond to this questionnaire and return it to the Commission within the time specified on the cover page.

The Commissioner must consider the direction from the Minister for Industry, Innovation and Science as set out in the *Customs (Extensions of Time and Non-cooperation) Direction 2015* (the Direction). This Direction sets out the particular considerations that the Commissioner must take into account when:

- deciding whether a longer period is reasonably required or practicable under subsections 269TC(6) and 269TC(9) of the *Customs Act 1901*, or considering whether to allow any interested party a longer period to give any response;
- considering an insufficient response from an interested party;
- determining whether to have regard to a late response;
- determining whether an exporter is an uncooperative exporter;

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- determining whether or not an entity is a non-cooperative entity for the purposes of section 269TAAACA; and
- determining whether an entity has significantly impeded a case.

The full text of the Direction and the accompanying explanatory statement is available on the Federal Register of Legislation website at www.legislation.gov.au. This and other reforms to Australia's anti-dumping system are explained in Anti-Dumping Notice 2015/129, available on the Commission's website at www.adcommission.gov.au.

Confidential and non-confidential submissions

Should you choose to respond to this questionnaire, you are required to lodge one confidential version (FOR OFFICIAL USE ONLY) and one non-confidential version (FOR PUBLIC RECORD) of your submission by the due date.

Please ensure that *each* page of your submission is clearly marked either "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD".

All information provided to the Commission in confidence will be treated accordingly. The non-confidential version of your submission will be placed on the public record.

Australia's anti-dumping and countervailing legislation requires that to the extent that information given to the Commission is claimed to be confidential or whose publication would adversely affect a business or commercial interest, the person giving the information must ensure that a summary of that information contains sufficient detail to allow a reasonable understanding of the substance of the information, but does not breach confidentiality nor adversely affect those interests.

The legislation allows that a person is not required to provide a summary for the public record if the Commission can be satisfied that no such summary can be given that would allow a reasonable understanding of the substance of the information. However, such a summary would add considerably to an interested party's understanding of information contained in a document.

As provided for in Australia's anti-dumping and countervailing legislation, all submissions are required to have a bracketed explanation of deleted or blacked out information for the non-confidential version of the submission. Note that if such an explanation is not provided, the Commission may disregard the information in the submission. An example of a statement to accompany deleted/blacked out text is:

[explanation of cost allocation through the divisions].

If, for some reason, you cannot produce a non-confidential summary, please contact the investigation case manager.

Exporter's declaration

At section H, you are required to make a declaration that the information contained in your submission is complete and correct.

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You must return a signed declaration with your response to the questionnaire.

Consultants/parties acting on your behalf

If you intend to have another party acting on your behalf, please advise the Commission of the relevant details.

The Commission will generally require written authorisation from exporters and manufacturers for any party acting on its behalf.

Verification of the information that you supply

The Commission will seek to verify the information provided in your submission. Where there are a large number of exporters, the Commission may have to verify information from selected exporters only. The purpose of the visit is to verify the information submitted in response to this questionnaire. It is not meant to be a chance for you to provide new or additional information. The Commission expects your response to the questionnaire to be complete and accurate.

Verification visits take several days. We will want to examine in detail your company's records in respect of the goods and will ask for copies of documents relating to the manufacture and sale of the goods. We will need to consult with your staff, particularly your financial controller (or accountant) and your domestic and export sales people. We may also need to see your factory, in which case we will need to consult with your operational managers.

After gathering the information we will prepare a report of the visit. We will provide you with a draft of the report and then respond to any questions you have. We will ask you to prepare a non-confidential copy of the report for the public record.

If you do not manufacture the goods

You may export but not produce or manufacture the goods (for example, you are a trading company, broker, or vendor dealing in the goods).

In such cases it is important that you forward a copy of this questionnaire to the relevant manufacturers **immediately**. You should also inform the investigation case manager of the contact details for these manufacturers.

You should complete those sections of the questionnaire that you are reasonably able to complete. If, for example, you are unable to supply details of production costs, you should clearly explain why the section does not apply to your company.

If you do not export the goods

Depending on the arrangement for sale of the goods to Australia through an intermediary, the Commission will have to determine who is the exporter of the goods for the purpose of this investigation.

In any case, information (such as cost of production data) supplied by the manufacturer

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will be relevant to establishing the normal value of the goods. In the absence of verified information, the Commission may use other available information. This information may result in a decision less favourable to your company.

Outline of information required by this questionnaire

- Section A** General information relating to your company, including financial reports
- Section B** A complete list of your company's exports to Australia over the investigation period
- Section C** A list of goods sold on the domestic market of the country of export (like goods) that may be compared to the goods under consideration (the goods)
- Section D** A detailed list of all of your company's sales of like goods in your domestic market
- Section E** Information to allow a fair comparison between export and domestic prices
- Section F** Information in relation to your company's exports of like goods to countries other than Australia
- Section G** Costs to make and sell, for exports to Australia and for the domestic market
- Section H** Your declaration
- Section I** A checklist
- Appendix** A glossary of terms used in this questionnaire

Some general instructions for preparing your response

- When answering the questionnaire please carefully read all instructions. The Commission requires a response to all sections of this questionnaire. Please provide an explanation if a question is not relevant to your situation.
- All questions must be answered in English. All documents and source material submitted in response to this questionnaire, including financial statements, must be translated into English.
- Answer questions in the order presented in the questionnaire. Please ensure that information submitted conforms to the requested format and is clearly labelled. Please repeat the question to which you are responding and place your answer

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below it.

- Identify source documents and advise where they are kept. During on-site verification you should be prepared to substantiate all the information you have submitted. Every part of the response should be traceable to company documents that are used in the ordinary course of business.
- We recommend that you retain all work sheets used in answering the questionnaire, in particular those linking the information supplied with management and accounting records. This will help us to verify the information.
- Clearly identify all units of measurement and currencies used. Apply the same measurement consistently throughout your response to the questionnaire.

Instructions on providing electronic data

- It is important that, where requested, information is submitted in electronic format.
- Electronic data can be submitted directly by email to the email address shown on the cover page of this questionnaire.
- The data must be created as spreadsheet files, preferably in Microsoft Excel, or alternatively in an Excel compatible format.
- An excel workbook, **Exporter questionnaire spreadsheets - ammonium nitrate**, accompanies this questionnaire and forms a template for your response to the data requested. The workbook is referred to throughout this questionnaire. This workbook should be completed and used to provide the requested data where possible.
- If you cannot present electronic data in the requested format contact the investigation case manager as soon as possible.
- Responses to questions should be as accurate and complete as possible and attach all relevant supporting documents, even where not specifically requested in this questionnaire.

Please note that answers such as 'Not Applicable' or an answer that only refers to an exhibit or an attachment may not be considered by the Commission to be adequate. The Commission therefore suggests that in answering the questions you outline the key elements of your response in the primary submission document, rather than merely pointing to supporting documents of varying degrees of relevance and reliability as your answer.

Further information

Before you respond to the questionnaire you should read all the key documentation related to this application, including ADN No. 2018/103 (notifying the initiation of the investigation) and the glossary of terms. It is also recommended that you access and

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read the non-confidential version of the application which is available online on the electronic Public Record at www.adcommission.gov.au (follow the links to current cases and electronic public record).

If you require further assistance, or you are having difficulties completing your submission, please contact the investigation case manager.

SECTION A COMPANY STRUCTURE AND OPERATIONS

This section requests information relating to company details and financial reports.

A-1 Identity and communication

Please nominate a person within your company who can be contacted for the purposes of this investigation:

Head Office - Yara AB	
Name:	Henrik Karlsson
Position:	Nordic Sales Manager, Mining Applications
Address:	Box 4505 20320 Malmö Sweden
Facsimile number:	+46 418 17 225
Email address of contact person:	henrik.karlsson@yara.com

Factory - Yara Köping, Sweden	
Address	Nya Hamnvagen 14 731 36 Köping Sweden
Telephone	+46 221 278 00
Facsimile	+46 22 12 79 80

A-2 Representative of the company for the purpose of this investigation

If you wish to appoint a representative to assist you in this investigation, provide the

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following details:

Name:	Alistair Bridges
Position:	Moulis Legal
Address:	Level 39 385 Bourke Street Melbourne Victoria 3000
Email address of contact person:	alistair.bridges@moulislehgal.com

Note that in nominating a representative, the Commission will assume that confidential material relating to your company in this investigation may be freely released to, or discussed with, that representative.

A-3 Company information

1. What is the legal name of your business?

The legal name of the business is Yara AB (“Yara”).

2. What kind of entity is it (e.g. company, partnership, sole trader)?

Yara is a company.

3. Please provide details of any other business names that you use to export and/or sell goods.

Not applicable. Yara does not use any other business names to export and/or sell the goods.

4. Who are the owners and/or principal shareholders? Provide details of shareholding percentages for joint owners and/or principal shareholders (list all shareholders able to cast, or control the casting of, 5% or more of the maximum amount of votes that could be cast at a general meeting of your company).

[CONFIDENTIAL TEXT DELETED – corporate ownership]

5. If your company is a subsidiary of another company, list the principal shareholders of that company.

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See above.

6. If your parent company is a subsidiary of another company, list the principal shareholders of that company.

See above.

7. Provide a diagram showing all associated or affiliated companies and your company's place within that corporate structure.

Please refer to Attachment 1 – Yara Corporate Structure Chart [CONFIDENTIAL].

8. Are any management fees/corporate allocations charged to your company by your parent or related company?

[CONFIDENTIAL TEXT DELETED – intercompany arrangements]

9. Describe the nature of your company's business. Explain whether you are a producer or manufacturer, distributor, trading company, etc.

Yara is a member of the Yara International ASA group of companies ("Yara Group"), which is a leading manufacturer of mineral fertilisers and is also the world's largest independent manufacturer and supplier of technical nitrates ("TN") with a strong production platform and a global supply system. Yara Group also serves the civil explosives industry around the world, providing top quality products for optimal rock fragmentation performances and expert TN knowledge.

10. If your business does not perform all of the following functions in relation to the goods under consideration, then please provide names and addresses of the companies which perform each function:

- sell in the domestic market;
- export to Australia; and
- export to countries other than Australia.

Yara undertakes all of the above mentioned functions.

11. Provide your company's internal organisation chart. Describe the functions performed by each group within the organisation.

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Please see Attachment 2 – Yara Organisation Chart [CONFIDENTIAL].

12. Provide a copy of your most recent annual report together with any relevant brochures or pamphlets on your business activities.

Yara does not have any business brochures. However, details regarding Yara’s business practices can be found here: <https://www.yara.se/>

13. Provide details of all transactions between your company and all related parties. For example:

- supplying/selling completed or partially completed products;
- supplying/selling raw materials;
- performing management functions (including any financial functions);
- processing (including toll processing) of any raw materials, intermediary or completed products; or
- trading in products/materials supplied by related parties.

Please refer to Attachment 3 – related party transactions [CONFIDENTIAL].

A-4 General accounting/administration information

1. Indicate your accounting period.

Yara’s accounting period is the calendar year.

2. Indicate the address where the company’s financial records are held.

Östra Varvsgatan 4, SE-211 75, Malmö, Sweden.

3. Please provide the following financial documents for the two most recently completed financial years plus all subsequent monthly, quarterly or half yearly statements:

- chart of accounts;

Please refer to Attachment 4 - Chart of Accounts [CONFIDENTIAL].

- audited consolidated and unconsolidated financial statements (including all footnotes and the auditor’s opinion); and

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Please refer to:

- **Attachment 5 – Yara Financial Statement 2017 [CONFIDENTIAL]; and**
- **Attachment 6 – Yara Financial Statement 2017 translation [CONFIDENTIAL].**

- internal financial statements, income statements (profit and loss reports), or management accounts, that are prepared and maintained in the normal course of business for the goods under consideration.

These documents should relate to:

- the division or section/s of your business responsible for the production and sale of the goods under consideration; and
- the company overall.

Please refer to:

- **Attachment 7 – Yara AB Management Report [CONFIDENTIAL]; and**
- **Attachment 8 – Business Unit Management Report [CONFIDENTIAL].**

4. If you are not required to have the accounts audited, provide the unaudited financial statements for the two most recently completed financial years, together with your taxation returns. Any subsequent monthly, quarterly or half yearly statements should also be provided.

Not applicable, Yara does have its accounts audited.

5. Do your accounting practices differ in any way from the generally accepted accounting principles in your country? If so, provide details.

No, Yara's accounting practices do not differ from Sweden's generally accepted accounting principles.

6. Describe the significant accounting policies that govern your system of accounting, in particular:
- the method of valuation for raw materials, work-in-process, and finished goods inventories (e.g. last in first out –LIFO, first in first out- FIFO, weighted average etc.);

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Yara uses the weighted average method to value raw materials, work-in-progress and finished goods.

- costing methods, including the method (e.g. by tonnes, units, revenue, direct costs etc.) of allocating costs shared with other goods or processes (such as front office cost, infrastructure cost etc.);

Indirect costs are not allocated to products but booked as fixed costs to related profit centers.

- valuation methods for damaged or sub-standard goods generated at the various stages of production;

Inventory is written off to the net realizable value.

- valuation methods for scrap, by products, or joint products;

Inventory is written off to the net realizable value or zero in case there would be product to be scrapped. Please note in the case of AN there is insignificant amounts of scrap or by-product.

- valuation and revaluation methods for fixed assets;

Property, plant and equipment that qualifies for recognition as an asset is measured at cost. Depreciation of assets is calculated on a straight-line basis over the useful lives of the assets.

- average useful life for each class of production equipment and depreciation method and rate used for each;

The average useful life for each class of product depreciated on a straight-line basis is:

Land	20 years
Buildings	20 years
Machinery and equipment	5 to 20 years
Mobile machinery	4 years
Furniture/other fixed assets	10 years

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Computer equipment	3 years
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- treatment of foreign exchange gains and losses arising from transactions;

Foreign currency transactions are recorded, on initial recognition in the functional currency, by applying to the foreign currency amount the spot exchange rate between the functional currency and the foreign currency at the date of the transaction.

- treatment of foreign exchange gains/losses arising from the translation of balance sheet items;

All closing balances are calculated to Yara defined currency closing rates for each month. At the end of each reporting period:

- **foreign currency monetary items shall be translated using the closing rate;**
- **non-monetary items that are measured in terms of historical cost in a foreign currency shall be translated using the exchange rate at the date of the transaction; and**
- **non-monetary items that are measured at fair value in a foreign currency shall be translated using the exchange rates at the date when the fair value was measured.**

- inclusion of general expenses and/or interest;

General and interest expenses are included.

- provisions for bad or doubtful debts;

Yara records lifetime expected credit losses on all trade and lease receivables (the simplified approach).

- expenses for idle equipment and/or plant shut-downs;

International Accounting Standard 37 is applied for provisions, contingent liabilities and contingent assets.

- costs of plant closure;

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International Accounting Standard 37 is applied for provisions, contingent liabilities and contingent assets.

- restructuring costs;

International Accounting Standard 37 is applied for provisions, contingent liabilities and contingent assets.

- by-products and scrap materials resulting from your company's production process; and

See valuation of scrap described above.

- effects of inflation on financial statement information.

Not applicable, inflation had no effect on Yara's financial statement during the period of investigation.

7. In the event that any of the accounting methods used by your company have changed over the last two years, provide an explanation of the changes, the date of change, and the reasons for it.

[CONFIDENTIAL TEXT DELETED – information regarding cost accounting practices and accounting program]

A-5 Income statement

Please complete the spreadsheet titled '**Income statement**' within the '**Exporter questionnaire spreadsheets - ammonium nitrate**' Excel workbook provided alongside this questionnaire.

It requires information concerning all products produced and for the goods under consideration ('goods under consideration' (the goods) is defined in the Glossary of Terms Appendix to this form).

Explain how costs have been allocated between all products and the goods under consideration within these calculations.

Provide the completed spreadsheet in electronic format via email with your response. If formulas are used to calculate the field within this sheet, please ensure they remain included in the submitted version.

This information will be used to verify the completeness of cost data that you provide in Section G. If, because of your company's structure, the allocations would not be helpful in this process, please explain why this is the case.

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Please refer to Attachment 9 – Income Statement [CONFIDENTIAL].

A-6 Sales

Please complete the spreadsheet titled '**Turnover**' within the '**Exporter questionnaire spreadsheets - ammonium nitrate**' Excel workbook provided alongside this questionnaire.

State your company's net turnover (after returns and all discounts), free of duties and taxes. Use the currency in which your accounts are kept.

Provide the completed spreadsheet in electronic format via email with your response. If formulas are used to calculate the field within this sheet, please ensure they remain included in the submitted version.

Please refer to Attachment 10 – Turnover [CONFIDENTIAL].

SECTION B SALES TO AUSTRALIA (EXPORT PRICE)

This section requests information concerning your export practices and prices to Australia. You should include costs incurred beyond ex-factory. Export prices are usually assessed at Free on Board (FOB) point, but the Commission may also compare prices at the ex-factory or ex-works level.

*You should report prices of **all** goods under consideration **shipped** to Australia during the investigation period.*

The invoice date will normally be taken to be the date of sale. If you consider:

- the sale date is not the invoice date (see 'date of sale' column in question B-4 below); and*
- an alternative date should be used when comparing export and domestic prices,*

*you **must** provide information in section D on domestic selling prices for a matching period - even if doing so means that such domestic sales data predates the commencement of the investigation period.*

B-1 For each customer in Australia to whom you shipped goods in the investigation period, list:

[CONFIDENTIAL TEXT DELETED – Australian customers information]

B-2 For each customer identified in B-1, please provide the following information.

- (a) Describe how the goods are sent to each customer in Australia, including a diagram if required.

[CONFIDENTIAL TEXT DELETED – customers details and sales terms]The sales process for these sales in the investigation period was as follows:

- [CONFIDENTIAL TEXT DELETED – entity] places a Purchase Order to Yara based on the sales terms outlined in either of the [CONFIDENTIAL TEXT DELETED – agreement or offer].**
- Yara will then produce the goods to match this order at its AN factory in Köping, Sweden.**
- Yara will also secure freight services via a shipping company, which will involve securing either a chartered vessel [CONFIDENTIAL TEXT DELETED – details of transportation].**
- The products are then despatched from the respective ports in**

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Sweden for delivery to a range of ports in Australia. For this investigation period, the Australian ports are [CONFIDENTIAL TEXT DELETED – ports].

- **[CONFIDENTIAL TEXT DELETED – details of sales terms]**

- (b) Identify each party in the distribution chain and describe the functions performed by them. Where commissions are paid, indicate whether it is a pre or post exportation expense having regard to the date of sale.

Please refer to the responses in B-2(a) and (c). [CONFIDENTIAL TEXT DELETED – customer details]. No commissions or expenses are paid to [CONFIDENTIAL TEXT DELETED – customers] by Yara.

- (c) Explain who retains ownership of the goods at each stage of the distribution chain. In the case of Delivered Duty Paid (DDP) sales, explain who retains ownership when the goods enter Australia.

[CONFIDENTIAL TEXT DELETED – terms of sale]

- (d) Describe any agency or distributor agreements or other contracts entered into in relation to the Australian market (supply a copy of the agreement if possible).

Not applicable. No agency or distribution agreement have been entered into in relation to the Australian market.

- (e) Explain in detail the process by which you negotiate price, receive orders, deliver, invoice and receive payment. If export prices are based on price lists, supply copies of those lists.

The majority [CONFIDENTIAL TEXT DELETED – number] of Yara’s exports to Australia were [CONFIDENTIAL TEXT DELETED – details of sales].

The Yara Group has a [CONFIDENTIAL TEXT DELETED – number] stake in Yara Pilbara Nitrates Pty Ltd (“YPN”). YPN is an ammonium nitrates plant situated on the Burrup Peninsula in Western Australia. [CONFIDENTIAL TEXT DELETED – circumstances of sale].

A small portion ([CONFIDENTIAL TEXT DELETED – number]) of Yara exports to Australia were [CONFIDENTIAL TEXT DELETED – form of sale and method through which they were made].

- (f) State whether your firm is related to any of its Australian customers. Give details of any financial or other arrangements (e.g. free goods, rebates or

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promotional subsidies) with the customers in Australia (including parties representing either your firm or the customers).

Yara is not related to any of its Australian customers nor does it offer free goods, rebates or promotional subsidies to its customers in Australia.

- (g) Details of the forward orders of the goods under consideration (include quantities, values and scheduled shipping dates).

Please refer to the Attachment 12 - Forward Orders [CONFIDENTIAL].

- B-3** Do your export selling prices vary according to the distribution channel identified? If so, provide details. Real differences in trade levels are characterised by consistent and distinct differences in functions and prices.

Not applicable. [CONFIDENTIAL TEXT DELETED – details of sales channels].

- B-4** Complete the spreadsheet titled ‘**Australian sales**’ in the ‘**Exporter questionnaire spreadsheets - ammonium nitrate**’ Excel workbook provided alongside this questionnaire.

This spreadsheet should list all shipments to Australia (i.e. transaction by transaction) of the goods under consideration in the investigation period.

Provide the completed spreadsheet in electronic format via email with your response. If formulas are used to calculate the field within this sheet, please ensure they remain included in the submitted version.

The table below provides information as to what is meant by each column heading within the spreadsheet.

Please refer to Attachment 13 – Australian Sales [CONFIDENTIAL].

Column heading	Explanation
Customer name	Names of your customers
Location of customer	Where the customer is located in Australia
Level of trade	The level of trade of your customers in Australia

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Product description	A brief description of the product exported to Australia
Product code	The code used in your accounting records for the product identified. Explain the product codes in your submission
Bulk density	The density of the ammonium nitrate e.g. in kg/m ³
Invoice number	Invoice number
Invoice date	Invoice date
Date of sale	Refer to the explanation at the beginning of this section. If you consider that a date <i>other than</i> the invoice date best establishes the material terms of sale, report that date. For example, order confirmation, contract, or purchase order date.
Quarter	The quarter that the date of sale occurred e.g. Jun-17, Sep-17, Dec-17, Mar-18
Order number	If applicable, show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale
Shipping terms	Delivery terms e.g. CIF, C&F, FOB, DDP (in accordance with Incoterms)
Payment terms	Agreed payment terms e.g. 60 days=60 etc.
Quantity	Quantity in units shown on the invoice. Show basis e.g. kg, tonnes
Gross invoice value	Gross invoice value shown on invoice <i>in the currency of sale, excluding taxes</i>
Discounts on the invoice	If applicable, the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column
Other charges	Any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide a description
Invoice currency	The currency used on the invoice
Exchange rate	Indicate the exchange rate used to convert the currency of the sale to the currency used in your accounting system
Net invoice value in the currency of the exporting country	The net invoice value expressed in your domestic currency as it is entered in your accounting system

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Rebates or other allowances	The amount of any deferred rebates or allowances paid to the importer in the currency of sale
Quantity discounts	The actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount
Ocean freight**	The actual amount of ocean freight incurred on each export shipment listed
Marine insurance	Amount of marine insurance
FOB export price**	The FOB price at the port of shipment
Packing cost*	Packing expenses
Inland transportation costs*	Inland transportation costs included in the selling price. For export sales, this is the inland freight from factory to port in the country of export
Handling, loading and ancillary expenses*	Handling, loading and ancillary expenses. For example, terminal handling, export inspection, wharfage and other port charges, container tax, document fees and customs brokers fees, clearance fees, bank charges, letter of credit fees, and other ancillary charges incurred in the exporting country
Warranty and guarantee expenses*	Warranty and guarantee expenses
Technical assistance and other services*	Expenses for after sale services, such as technical assistance or installation costs
Commissions*	Commissions paid. If more than one type is paid insert additional columns of data. Indicate in your response to question B2 whether the commission is a pre or post exportation expense having regard to the date of sale
Other costs*	Any other costs, charges or expenses incurred in relation to the exports to Australia (include additional columns as required). See question B5

* All of these costs are further explained in section E-1.

** FOB export price and Ocean Freight:

FOB export price: An FOB export price must be calculated for each shipment - regardless of the shipping terms. FOB price includes inland transportation to the port of exportation, inland insurance, handling and loading charges. It excludes post exportation expenses such as ocean freight and marine insurance. Use a formula to show the method of the calculation on each line of the export sales spreadsheet.

Ocean freight: as ocean freight is a significant cost, it is important that the **actual** amount of

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ocean freight incurred on each exportation be reported. If estimates must be made, you must explain the reasons and set out the basis. Estimates must reflect changes in freight rates over the investigation period.

Freight allocations must be checked for consistency.

- B-5** If there are any other costs, charges or expenses incurred in respect of the exports which have not been identified in the table above, add a column (see 'other costs' in question B-4) for each item and provide a description of each item. For example, other selling expenses (direct or indirect) incurred in relation to the export sales to Australia. No other costs, charges or expenses are incurred.

Not applicable. No other costs or charges were incurred with regard to the Australian sales.

- B-6** For each type of discount, rebate or allowance offered on export sales to Australia:

- provide a description; and
- explain the terms and conditions that must be met by the importer to obtain the discount.

Where the amounts of these discounts, rebates etc. are not identified on the sales invoice, explain how you calculated the amount shown in your response to question B-4. If they vary by customer or level provide an explanation.

Not applicable. No discounts, rebates or other allowances were offered on export sales to Australia.

- B-7** If you have issued credit notes (directly or indirectly) to the customers in Australia in relation to the invoices listed in the detailed transaction by transaction listing in response to question B-4, provide details of each credit note if the credited amount has **not** been reported as a discount or rebate.

No credit notes were issued to Australian customers in relation to the invoices listed in the Australian sales spreadsheet.

- B-8** If the delivery terms make you responsible for arrival of the goods at an agreed point within Australia (e.g. delivered duty paid), insert additional columns in the spreadsheet for all other costs incurred. For example:

Import duties	Amount of import duty paid in Australia
Inland transport	Amount of inland transportation expenses within Australia included in the selling price

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Other costs	Customs brokers, port and other costs incurred (itemise)
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Not applicable. All [CONFIDENTIAL TEXT DELETED – sales terms].

B-9 Select two shipments, in different quarters of the investigation period, and provide a **complete** set of all of the documentation related to the export sale. For example:

- the importer’s purchase order, order confirmation, and contract of sale;
- commercial invoice;
- bill of lading, export permit;
- freight invoices in relation to movement of the goods from factory to Australia, including inland freight contract;
- marine insurance expenses; and
- letter of credit, and bank documentation, proving payment.

Please refer to:

- **Attachment 14 – Australian Sales Bundle 1 [CONFIDENTIAL]; and**
- **Attachment 15 – Australian Sales Bundle 2 [CONFIDENTIAL].**

The Commission will select additional shipments for verification at the time of the visit.

SECTION C EXPORTED GOODS AND LIKE GOODS

- C-1** Fully describe all of the goods you have exported to Australia during the investigation period. Include specification details and any technical and illustrative material that may be helpful in identifying, or classifying, the exported goods

The exported goods were of [CONFIDENTIAL TEXT DELETED – number] types only:

[CONFIDENTIAL TEXT DELETED – types of AN sold to Australia]

Please refer to Attachment 16 [CONFIDENTIAL] and Attachment 17 [CONFIDENTIAL], which are brochures regarding each of these products.

- C-2** List each type of goods exported to Australia (these types should cover all types listed in the spreadsheet ‘**Australian sales**’ – refer section B of this questionnaire).

See above.

- C-3** If you sell like goods on the domestic market, for each type of goods that your company has exported to Australia during the investigation period, list the most comparable model(s) sold domestically and provide a detailed explanation of the differences where those goods sold domestically (i.e. the like goods – see explanation in glossary of terms) are not identical to the goods exported to Australia.

While Yara does sell low density porous ammonium nitrate in the domestic market, this is not [CONFIDENTIAL TEXT DELETED – grade].

AN solution is far more widely traded in the domestic market, however we understand this is outside the scope of this investigation.

Complete the spreadsheet titled ‘**Like goods**’ in the ‘**Exporter questionnaire spreadsheets - ammonium nitrate**’ Excel workbook provided alongside this questionnaire. Alternatively, complete the following table in your submission.

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EXPORTED TYPE	DOMESTIC TYPE	IDENTICAL?	DIFFERENCES
Product code of each model of the goods exported to Australia	Product code of comparable model sold on the domestic market of the country of export	If goods are identical, indicate "YES", otherwise "NO"	Where the good exported to Australia is not identical to the like goods, describe the specification differences. If it is impractical to detail specification differences in this table, refer to documents which outline differences

Please refer to Attachment 18 – Like Goods [CONFIDENTIAL].

C-4 Please provide any technical and illustrative material that may be helpful in identifying or classifying the goods that your company sells on the domestic market. Please refer to the response in C-1.

Please refer to Yara’s response to C-1.

SECTION D DOMESTIC SALES

This section seeks information about the sales arrangements and prices in the domestic market of the country of export.

*All domestic sales of like goods (to the goods under consideration) made during the investigation period must be listed transaction by transaction. If there is an extraordinarily large volume of sales data and you are unable to provide the complete listing electronically, you **must** contact the case manager **before** completing the questionnaire. If the case manager agrees that it is not possible to obtain a complete listing, he or she will consider a method for sampling that meets the Commission's requirements. If agreement cannot be reached as to the appropriate method, the Commission may not visit your company.*

*The Commission will normally take the invoice date as being the date of sale in order to determine which sales fall within the investigation period. If, in response to question B-4 (Sales to Australia, Export Price), you have reported that the date of sale is not the invoice date and you consider that an alternative date should be used when comparing domestic and export prices, you **must** provide information on domestic selling prices for a matching period - even if doing so means that such domestic sales data predates the commencement of the investigation period.*

If you do not have any domestic sales of like goods, you must contact the case manager who will explain the information the Commission requires for determining a normal value using alternative methods.

D-1 Please provide the following:

- a detailed description of your distribution channels to domestic customers, including a diagram if appropriate;
- information concerning the functions/activities performed by each party in the distribution chain; and
- a copy of any agency or distributor agreements, or contracts entered into.

If any of the customers listed are associated with your business, provide details of that association. Describe the effect, if any, that association has upon the price.

The customers in Sweden are served by Yara's main plant at Köping, Sweden where we produce solid porous prills ammonium nitrate (ANPP) and hot liquid ammonium nitrate solution (ANS). Yara understands that ANS is not the goods under consideration for the purpose of this investigation.

Yara sells some [CONFIDENTIAL TEXT DELETED – number] MT of ANPP a year into the Swedish market. However, the preference in the Swedish

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market is skewed toward ANS, of which Yara sold [CONFIDENTIAL TEXT DELETED – number] MT in the period of investigation.

Yara sells these goods to blasting service providers and end-users. Yara does not sell through any distributors or agents in Sweden.

Yara receives the orders by phone or e-mail from its customers. Yara delivers the goods to its customers and undertakes the related selling services of creating orders, booking transport, loading trucks and invoicing.

The deliveries are performed by a number of different transport companies under contract.

The customer pays the invoice by direct transfer [CONFIDENTIAL TEXT DELETED – payment terms].

The customer sites in Sweden are usually very small with limited storage capacity. Yara delivers truck by truck as needed with some [CONFIDENTIAL TEXT DELETED – volume] MT per truck on average. Due to these limitations in storage capacity these orders come in with short notice when the customer needs to increase its stock.

All transport companies follow strict requirements set up by Yara to minimize risk and to ensure the highest possible standards of security. Yara works closely with its transporters and customers on HESQ, security and safety to minimize the risks.

D-2 Do your domestic selling prices vary according to the distribution channel identified? If so, provide details. Real differences in trade levels are characterised by consistent and distinct differences in functions and prices.

[CONFIDENTIAL TEXT DELETED – discussion of price trends]

D-3 Explain in detail the sales process, including:

- the way in which you set the price, receive orders, make delivery, invoice and finally receive payment; and the terms of the sales; and
- whether price includes the cost of delivery to customer.

If sales are in accordance with price lists, provide copies of the price lists.

The sales process is discussed in D-1 above.

[CONFIDENTIAL TEXT DELETED – details of sales practices and pricing]

D-4 Complete the spreadsheet titled ‘Domestic sales’ in the ‘Exporter

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questionnaire spreadsheets - ammonium nitrate' Excel workbook provided alongside this questionnaire. Please refer to the attached 'Exporter questionnaire spreadsheets - ammonium nitrate

This spreadsheet should list **all** domestic sales of like goods (i.e. transaction by transaction) made during the investigation period.

Provide the completed spreadsheet in electronic format via email with your response. If formulas are used to calculate the field within this sheet, please ensure they remain included in the submitted version.

The table below provides information as to what is meant by each column heading within the spreadsheet.

Please refer to Attachment 19 – Domestic Sales [CONFIDENTIAL].

Column heading	Explanation
Customer name	Names of your customers. If an English version of the name is not easily produced from your accounting system, show a customer code number and in a separate table list each code and name
Level of trade	The level of trade of your domestic customer
Product description	A brief description of the product sold on the domestic market
Product code	The code used in your accounting system for the model/type of the goods identified. Explain the product codes in your submission
Bulk density	The density of the ammonium nitrate e.g. in kg/m ³
Invoice number	Invoice number
Invoice date	Invoice date
Date of sale	Refer to the explanation at the beginning of this section. If you consider that a date <i>other than</i> the invoice date best establishes the material terms of sale and should be used, report that date. For example, order confirmation, contract, or purchase order date
Quarter	The quarter that the date of sale occurred
Order number	Show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale

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Delivery terms	e.g. ex-factory, free on truck, delivered into store etc.
Payment terms	Payment terms agreed with the customer e.g. 60 days=60 etc.
Quantity	Quantity in units shown on the invoice e.g. kg, tonnes etc.
Gross Invoice value	Gross value shown on invoice <i>in the currency of sale</i> , net of taxes
Discounts on the Invoice	The amount of any discount deducted on the invoice on each transaction. If a % discount applies, show that % discount applying in another column
Other charges	Any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide description
Net invoice value in the currency of the exporting country	The net invoice value expressed in your domestic currency as recorded in your accounting system
Rebates or other Allowances	The actual amount of any deferred rebates or allowances in the currency of sale
Quantity discounts	The actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount
Packing costs*	Packing expenses
Inland transportation Costs*	Amount of inland transportation costs included in the selling price
Handling, loading and ancillary expenses*	Handling, loading and ancillary expenses
Warranty and guarantee expenses*	Warranty and guarantee expenses (if any)
Technical assistance and other services*	Expenses for after sale services such as technical assistance or installation costs (if any)
Commissions*	Commissions paid. If more than one type is paid, insert additional columns of data

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Other costs*	Any other costs, charges or expenses incurred in relation to the domestic sales (include additional columns as required). See question D-5
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Costs marked with * are explained in section E-2.

- D-5** If there are any other costs, charges or expenses incurred in respect of the sales listed which have not been identified in the table in question D-4 above, add a column for each item (refer 'other costs' in question D-4). For example, certain other selling expenses incurred.

Yara pays [CONFIDENTIAL TEXT DELETED – number] customs duty on ammonium nitrate imported from Russia. However, Swedish Customs has granted Yara an “inward processing” licence, which exempts it from paying import duty on imports of ammonia that is processed into ammonium nitrate in Sweden and then exported out of Sweden.

Please refer to Attachment 20 [CONFIDENTIAL], which is a translation of the current inward processing exemption.

Yara has reported this duty, which is born on domestic sales but not on Australian sales, in the “other costs” column of the Domestic Sales spreadsheet.

- D-6** For each type of commission, discount, rebate or allowance offered on domestic sales of like goods:

- provide a description; and
- explain the terms and conditions that must be met by the customer to qualify for payment.

Where the amounts of these discounts, rebates etc. are not identified on the sales invoice, explain how you calculated the amounts shown in your response to question D-4.

If you have issued credit notes, directly or indirectly to the customers, provide details if the credited amount has **not** been reported as a discount or rebate.

[CONFIDENTIAL TEXT DELETED – details of sales to specific customer]

- D-7** Select two domestic sales, in different quarters of the investigation period, that are at the same level of trade as the export sales.

Provide a **complete** set of documentation for those two sales. Include, for example, copies of the following information:

- purchase order;

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- order acceptance;
- commercial invoice,
- discounts or rebates applicable;
- credit/debit notes;
- contract of sale;
- inland freight invoice; and
- bank documentation showing proof of payment.

Please refer to:

- **Attachment 21 – Domestic Sales Bundle [CONFIDENTIAL].**
- **Attachment 22 – Domestic Sales Bundle [CONFIDENTIAL].**

The Commission will select additional sales for verification at the time of the visit.

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**SECTION E
FAIR COMPARISON**

Section B of this questionnaire sought information about the export prices to Australia and Section D sought information about prices on your domestic market for like goods (i.e. the normal value).

Where the normal value and the export price are not comparable, adjustments may be made. This section informs you of the fair comparison principle and asks you to quantify the amount of any adjustment.

As prices are being compared, the purpose of the adjustments is to eliminate factors that have unequally modified the prices to be compared.

To be able to quantify the level of any adjustment, it will usually be necessary to examine cost differences between sales in different markets. The Commission must be satisfied that those costs are likely to have influenced price. In practice, this means that the expense item for which an adjustment is claimed should have a close nexus to the sale. For example, the cost is incurred because of the sale, or because the cost is related to the sale terms and conditions.

Conversely, where there is not a direct relationship between the expense item and the sale, a greater burden is placed upon the claimant to demonstrate that prices have been affected, or are likely to have been affected, by the expense item. In the absence of such evidence, the Commission may disallow the adjustment.

Where possible, the adjustment should be based upon actual costs incurred when making the relevant sales. However, if such specific expense information is unavailable, cost allocations may be considered. In this case, the party making the adjustment claim must demonstrate that the allocation method reasonably estimates costs incurred.

A party seeking an adjustment has the obligation to substantiate the claim by relevant evidence that would allow a full analysis of the circumstances, and the accounting data, relating to the claim.

The investigation must be completed within strict time limits therefore you must supply information concerning claims for adjustments in a timely manner. Where an exporter has knowledge of the material substantiating an adjustment claim, that material is to be available at the time of the verification visit. The Commission will not consider new claims made after the verification visit.

E-1 Costs associated with export sales

These cost adjustments will relate to your responses made at question B-4, 'Australian sales'.

1. Transportation

Explain how you have quantified the amount of inland transportation associated with the export sale (**Inland transportation costs**). Identify the general ledger

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account where the expense is recorded. If the amount has been determined from contractual arrangements, not from an account item, provide details and evidence of payment.

The inland transportation cost reported in the Australian sales spreadsheet is the sum total of all logistical costs associated with transporting and handling of the products from the plant at Köping, Sweden to the loading port. [CONFIDENTIAL TEXT DELETED – details of cost reporting]

2. Handling, loading and ancillary expenses

List all charges that are included in the export price and explain how they have been quantified (**Handling, loading & ancillary expenses**). Identify the general ledger account where the expenses are recorded. If the amounts have been determined using actual observations, not from a relevant account item, provide details.

The various export related ancillary costs are identified in the table at question B-4, for example:

- terminal handling;
- wharfage and other port charges;
- container taxes;
- document fees and customs brokers fees;
- clearance fees;
- bank charges, letter of credit fees; and
- other ancillary charges.

Yara has reported the actual costs associated with handling, loading and ancillary expenses.

3. Credit

The cost of extending credit on export sales is not included in the amounts quantified at question B-4. However, the Commission will examine whether a credit adjustment is warranted and determine the amount. Provide applicable interest rates over each month of the investigation period. Explain the nature of the interest rates most applicable to these export sales e.g., short term borrowing in the currency concerned.

If your accounts receivable shows that the average number of collection days differs from the payment terms shown in the sales listing, *and if* export prices are

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influenced by this longer or shorter period, calculate the average number of collection days. See also item 4 in section E-2 below.

Not applicable. [CONFIDENTIAL TEXT DELETED – payment habits of customers].

4. Packing costs

List material and labour costs associated with packing the exported goods. Describe how the packing method differs from sales on the domestic market, for each model. Report the amount in the listing in the column headed **Packing**.

[CONFIDENTIAL TEXT DELETED – packing details]

5. Commissions

For any commissions paid in relation to the export sales to Australia:

- provide a description; and
- explain the terms and conditions that must be met.

Report the amount in the sales listing in question B-4 under the column headed **Commissions**. Identify the general ledger account where the expense is recorded.

Not applicable. No commissions were paid in relation to the Australian sales.

6. Warranties, guarantees and after sales services

List the costs incurred (if any). Show relevant sales contracts. Show how you calculated the expenses (**Warranty and guarantee expenses** and **Technical assistance and other services**), including the basis of any allocations. Include a record of expenses incurred. Technical services include costs for the service, repair, or consultation. Where these expenses are closely related to the sales in question, an adjustment will be considered. Identify the ledger account where the expense is recorded.

Not applicable, warranties, guarantees and after sales services are not incurred in relation to the Australian products.

7. Other factors

There may be other factors for which an adjustment is required if the costs affect price comparability – these are identified in the column headed **Other costs**. For example, other variable or fixed selling expenses, including salesmen's salaries,

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salesmen's' travel expenses, advertising and promotion, samples and entertainment expenses. Your consideration of questions asked at Section G of this questionnaire, concerning domestic and export costs, would have alerted you to such other factors.

There are no other expenses incurred in relation to the Australian sales.

8. Currency conversions

In comparing export and domestic prices, a currency conversion is required. Fluctuations in exchange rates can only be taken into account when there has been a 'sustained' movement during the period of investigation (see article 2.4.1 of the WTO Agreement). The purpose is to allow exporters 60 days to adjust export prices to reflect 'sustained' movements. Such a claim requires detailed information on exchange rate movements in your country over a long period that includes the investigation period.

Not applicable. There have been no significant movements in [CONFIDENTIAL TEXT DELETED – foreign exchange rates] exchange rate over the period of investigation.

E-2 Costs associated with domestic sales

These cost adjustments will relate to your responses made at question D-4, 'Domestic sales'.

The following items are not separately identified in the amounts quantified at question D-4. However, you should consider whether any are applicable.

1. Physical characteristics

The adjustment recognises that differences such as quality, chemical composition, structure or design, mean that goods are not identical and the differences can be quantified in order to ensure a fair comparison.

The amount of the adjustment shall be based upon the market value of the difference, but where this is not possible, the adjustment shall be based upon the difference in cost plus the gross profit mark-up (i.e. an amount for selling, general and administrative costs (SG&A), plus profit).

The adjustment is based upon actual physical differences in the goods being compared and upon the manufacturing cost data. Identify the physical differences between each model. State the source of your data.

[CONFIDENTIAL TEXT DELETED – product characteristics].

2. Import charges and indirect taxes

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If exports to Australia:

- are partially or fully exempt from internal taxes and duties that are borne by the like goods in domestic sales (or on the materials and components physically incorporated in the goods); or
- if such internal taxes and duties have been paid and are later remitted upon exportation to Australia,

the price of like goods must be adjusted downwards by the amount of the taxes and duties.

The taxes and duties include sales, excise, turnover, value added, franchise, stamp, transfer, border and excise taxes. Direct taxes such as corporate income tax are not included as such taxes do not apply to the transactions.

Adjustment for drawback is not made in every situation where drawback has been received. Where an adjustment for drawback is appropriate you must provide information showing the import duty borne by the domestic sales. That is, it is not sufficient to show the drawback amount and the export sales quantity to Australia. For example, you may calculate the duty borne on domestic sales by quantifying the total amount of import duty paid and subtracting the duty refunded on exports to all countries. The difference, when divided by the domestic sales volume, is the amount of the adjustment.

In substantiating the drawback claim the following information is required:

- a copy of the relevant statutes/regulations authorising duty exemption or remission, translated into English;
- the amount of the duties and taxes refunded upon exportation and an explanation how the amounts were calculated and apportioned to the exported goods; and
- an explanation as to how you calculated the amount of duty payable on imported materials is borne by the goods sold domestically but is not borne by the exports to Australia.

Substitution drawback systems

Annex 3 of the WTO *Agreement on Subsidies and Countervailing Measures* provides:

'[d]rawback systems can allow for the refund or drawback of import duties on inputs which are consumed in the production process of another product and where the export of this latter product contains domestic inputs having the same quality and characteristics as those substituted for the imported inputs'.

If such a scheme operates in the country of export, adjustments can also be made for the drawback payable on the substituted domestic materials, provided

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the total amount of the drawback does not exceed the total duty paid.

3. Level of trade

Question D-4 asks you to indicate the level of trade to the domestic customer. To claim an adjustment for level of trade differences, you will need to quantify the amount by which the level of trade influences price.

Trade level is the level a company occupies in the distribution chain. The trade level to which that company in turn sells the goods and the functions carried out distinguish a level of trade. Examples are producer, national distributor, regional distributor, wholesaler, retailer, end user and original equipment manufacturer.

It may not be possible to compare export prices and domestic prices at the same level of trade. Where relevant sales of like goods at the next level of trade must be used to determine normal values, an adjustment for the difference in level of trade may be required where it is shown that the difference affects price comparability.

The information needs to establish that there are real trade level differences, not merely nominal differences. Real trade level differences are characterised by a consistent pattern of price differences between the levels and by a difference in functions performed. If there is no real trade level differences, all sales are treated as being at the same level of trade.

A real difference in level of trade may be adjusted for using either of the following methods:

- (a) *costs arising from different functions*: the amount of the costs, expenses etc. incurred by the seller in domestic sales of the like goods resulting from activities that would not be performed were the domestic sales made at the same level as that of the importer.

This requires the following information:

- a detailed description of each sales activity performed in selling to your domestic customers (for example, sales personnel, travel, advertising, entertainment etc.);
- the cost of carrying out these activities in respect of like goods;
- for each activity, whether your firm carries out the same activity when selling to importers in Australia; and
- an explanation as to why you consider that you are entitled to a level of trade adjustment.

or

- (b) *level discount*: the amount of the discount granted to purchasers who are at the same level of trade as the importer in Australia. This is determined

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by an examination of price differences between the two levels of trade in the exporter's domestic market, for example sales of like goods by other vendors or sales of the same general category of goods by the exporter. For this method to be used, it is important that a clear pattern of pricing be established for the differing trade levels. Such pattern is demonstrated by a general availability of the discounts to the level - isolated instances would not establish a pattern of availability.

Yes, prices to end-users are higher than are prices to blasting service providers.

4. Credit

The cost of extending credit on domestic sales is not included in the amounts quantified at question D-4. However, the Commission will examine whether a credit adjustment is warranted and determine the amount. An adjustment for credit is to be made even if funds are not borrowed to finance the accounts receivable.

The interest rate on domestic sales in order of preference is:

- the rate, or average of rates, applying on actual short term borrowings by the company; or
- the prime interest rate prevailing for commercial loans in the country for credit terms that most closely approximate the credit terms on which the sales were made; or
- such other rate considered appropriate in the circumstances.

Provide the applicable interest rate over each month of the investigation period.

If your accounts receivable shows that the average number of collection days differs from the payment terms shown in the sales listing, and if domestic prices are influenced by this longer or shorter period, calculate the average number of collection days.

Where there is no fixed credit period agreed at the time of sale the period of credit is determined on the facts available. For example, where payment is made using an open account system¹, the average credit period may be determined as follows:

1. *Calculate an accounts receivable turnover ratio*

This ratio equals the total credit sales divided by average accounts receivable (it

¹ Under an open account system, following payment the balance of the amount owing is carried into the next period. Payment amounts may vary from one period to the next, with the result that the amount owing varies.

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is a measure of how many times the average receivables balance is converted into cash during the year).

In calculating the accounts receivable turnover ratio, credit sales should be used in the numerator whenever the amount is available from the financial statements. Otherwise, net sales revenue may be used in the numerator.

An average accounts receivable over the year is used in the denominator. This may be calculated by:

- using opening accounts receivable at beginning of period plus closing accounts receivable at end of period, divided by 2, or
- total monthly receivables, divided by 12.

2. Calculate the average credit period

The average credit period equals 365 divided by the accounts receivable turnover ratio determined above at 1.

The resulting average credit period should be tested against randomly selected transactions to support the approximation.

The following items are identified in the amounts quantified at question D-4:

5. Transportation

Explain how you have quantified the amount of inland transportation associated with the domestic sales (**Inland transportation Costs**). Identify the general ledger account where the expense is recorded. If the amount has been determined from contractual arrangements, not from an account item, provide details and evidence of payment.

[CONFIDENTIAL TEXT DELETED – reporting of transportation costs].

6. Handling, loading and ancillary expenses

List all charges that are included in the domestic price and explain how they have been quantified (**Handling, loading and ancillary Expenses**). Identify the general ledger account where the expense is recorded. If the amounts have been determined using actual observations, not from a relevant account item, provide details.

There are no direct handling, loading and ancillary expenses allocated to the domestic deliveries.

7. Packing

List material and labour costs associated with packing the domestically sold

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product. Describe how the packing method differs from sales on the domestic market, for each model. Report the amount in the listing in the column headed **Packing**.

[CONFIDENTIAL TEXT DELETED – packing details]

8. Commissions

For any commissions paid in relation to the domestic sales, provide a description and explain the terms and conditions that must be met.

Report the amount in the sales listing under the column headed **Commissions**. Identify the general ledger account where the expense is recorded.

Not applicable. No commissions were paid in relation to domestic sales.

9. Warranties, guarantees, and after sales services

List the costs incurred. Show relevant sales contracts. Show how you calculated the expenses (**Warranty and guarantee expenses** and **Technical assistance and other services**), including the basis of any allocations. Include a record of expenses incurred. Technical services include costs for the service, repair, or consultation. Where these expenses are closely related to the sales in question, an adjustment will be considered. Identify the ledger account where the expense is recorded.

Not applicable, there no specific warranty, guarantees or after sales services incurred in relation to domestic sales.

10. Other factors

There may be other factors for which an adjustment is required if the costs affect price comparability - these are identified in the column headed **Other factors**. List the factors and show how each has been quantified on a per unit basis. For example:

- *inventory carrying cost*: describe how the products are stored prior to sale and show data relating to the average length of time in inventory. Indicate the interest rate used;
- *warehousing expense*: an expense incurred at the distribution point;
- *royalty and patent fees*: describe each payment as a result of production or sale, including the key terms of the agreement;
- *advertising*; and
- *bad debt*.

Not applicable.

E-3 Duplication

In calculating the amount of the adjustments, you must ensure that there is no duplication.

For example:

- adjustments for level of trade, quantity or other discounts may overlap; or
- calculation of the amount of the difference for level of trade may be based upon selling expenses such as salesperson's salaries, promotion expenses, commissions, and travel expenses.

Separate adjustment items must avoid duplication.

An adjustment for quantities may not be granted unless the effect on prices for quantity differences is identified and separated from the effect on prices for level of trade differences.

Not applicable. Yara is not aware of any duplication.

SECTION F EXPORT SALES TO COUNTRIES OTHER THAN AUSTRALIA (THIRD COUNTRY SALES)

Your response to this part of the questionnaire may be used by the Commission to select sales to a third country that may be suitable for comparison with exports to Australia.

Sales to third countries may be used as the basis for normal value in certain circumstances. The Commission may seek more detailed information on particular third country sales where such sales are likely to be used as the basis for determining normal value.

F-1 Using the column names and column descriptions below, provide a summary of your export sales to countries other than Australia. Provide this information in the spreadsheet titled '**Third country sales**' in the '**Exporter questionnaire spreadsheets – ammonium nitrate**' Excel workbook provided alongside this questionnaire.

Provide the completed spreadsheet in electronic format via email with your response. If formulas are used to calculate the fields within this sheet, please ensure they remain included in the submitted version.

The table below provides information as to what is meant by each column heading within the spreadsheet.

Please refer to Attachment 23 – Third Country Sales [CONFIDENTIAL].

Column heading	Explanation
Country	Name of the country that you exported like goods to over the investigation period
Number of customers	The number of different customers that your company has sold like goods to in the third country over the investigation period
Level of trade	The level of trade that you export like goods to in the third country
Quantity	Indicate quantity, in units, exported to the third country over the investigation period
Unit of quantity	Show unit of quantity e.g. kg, tonnes etc.
Value of sales	Show net sales value to all customers in the third country over the

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	investigation period
Currency	Currency in which you have expressed data in column 'value of sales'
Payment terms	Typical payment terms with customer(s) in the country e.g. 60 days=60 etc.
Shipment terms	Typical shipment terms to customers in the third country e.g. CIF, FOB, ex-factory, DDP etc.

F-2 Please identify any differences in sales to third countries which may affect their comparability to export sales to Australia.

There are a broad range of factors which may affect the comparability of sales to third countries with sales to Australia, including different product mix, different levels of trade, different market dynamics and different customer relationships.

SECTION G

COSTING INFORMATION AND CONSTRUCTED VALUE

The information that you supply in response to this section of the questionnaire will be used for various purposes including:

- *testing the profitability of sales of like goods on the domestic market;*
- *determining a constructed normal value of the goods exported to Australia; and*
- *making certain adjustments to the normal value.*

You will need to provide the cost of production of both the exported goods to Australia (the goods) and for the like goods sold on the domestic market. You will also need to provide the selling, general, and administration costs relating to goods sold on the domestic market; the finance expenses; and any other expenses (e.g. non-operating expenses not included elsewhere) associated with the goods.

In your response please include a worksheet showing how the selling, general and administration expenses, the finance expenses, and any other expenses have been calculated.

If, in response to question B-4 (Sales to Australia, Export Price) you:

- *reported that the date of sale is not the invoice date and consider that an alternative date should be used when comparing domestic and export prices; and*
- *provided information on domestic selling prices for a matching period as required in the introduction to Section D (Domestic Sales),*

you must provide cost data over the same period as these sales even if doing so means that such cost data predates the commencement of the investigation period.

At the verification meeting, you must be prepared to reconcile the costs shown to the accounting records used to prepare the financial statements.

G-1 Production process and capacity

Describe the production process for the goods. Provide a flowchart of the process. Include details of all products manufactured using the same production facilities as those used for the goods. Also specify all scrap or by-products that result from producing the goods.

Please refer to Attachment 24 – Production Flowchart [CONFIDENTIAL].

To produce the ANPP that is exported to Australia the following steps are required:

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- 1. Nitric acid: Anhydrous ammonia is evaporated and mixed with air. The mixture is oxidized to form nitrogen dioxide. This is absorbed in water to form nitric acid.**
- 2. Ammonium nitrate solution: Anhydrous ammonia and nitric acid is mixed in a reactor to form ammonium nitrate. Water vapour is removed and the ammonium nitrate solution is sent for final evaporation and prilling.**
- 3. Ammonium nitrate solution is combined with a prilling additive and solidified in a prilling tower. The prills are dried in drying drums, screened to remove dust and oversized particles, cooled and coated with an anti-caking agent and finally sent for bagging.**

There are no by-products except heat sold as warm water for district heating during the winter season and normally there is no scrap.

G-2 Production

Complete the spreadsheet titled '**Production**' in the '**Exporter questionnaire spreadsheets - ammonium nitrate**' Excel workbook provided alongside this questionnaire.

Please refer to Attachment 25 – Production [CONFIDENTIAL].

G-3 Cost accounting practices

- 1. Outline the management accounting system that you maintain and explain how that cost accounting information is reconciled to your audited financial statements.**

Yara uses [CONFIDENTIAL TEXT DELETED – details of accounting programs].

- 2. Is your company's cost accounting system based on standard (budgeted) costs? State whether standard costs were used in your responses to this questionnaire. If they were state whether all variances (i.e. differences between standard and actual production costs) have been allocated to the goods - and describe how those variances have been allocated.**

Yara does not use standard costs.

- 3. Provide details of any significant or unusual cost variances that occurred during the investigation period.**

Yara does not use standard costs.

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4. Describe the profit/cost centres in your company's cost accounting system.

Yara is divided into different segments [CONFIDENTIAL TEXT DELETED – details of internal organisation].

Please refer to Attachment 2 – Yara Organisation Chart [CONFIDENTIAL] which includes the different profit centres within Yara.

5. For each profit/cost centre, describe in detail the methods that your company normally uses to allocate costs to the goods under consideration. In particular, specify how, and over what period, expenses are amortised or depreciated, and how allowances are made for capital expenditures and other development costs.

[CONFIDENTIAL TEXT DELETED – accounting practices].

6. Describe the level of product specificity (models, grades etc.) that your company's cost accounting system records production costs.

[CONFIDENTIAL TEXT DELETED – accounting practices]

7. List and explain all production costs incurred by your company which are valued differently for cost accounting purposes than for financial accounting purposes.

Not applicable. All production costs are valued in the same manner for cost accounting and financial accounting purposes.

8. State whether your company engaged in any start-up operations in relation to the goods under consideration. Describe in detail the start-up operation giving dates (actual or projected) of each stage of the start-up operation.

Yara did not engage in any start-up operations in relation to the goods in the period of investigation.

9. State the total cost of the start-up operation and the way that your company has treated the costs of the start-up operation in its accounting records.

Not applicable, as per the above response.

G-4 Cost to make and sell on domestic market

This information is relevant to testing whether domestic sales are in the ordinary course of trade.²

² The Commission applies the tests set out in s.269TAAD of the *Customs Act 1901* to determine whether

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1. Complete the spreadsheet titled '**Domestic CTMS**' in the '**Exporter questionnaire spreadsheets - ammonium nitrate**' Excel workbook provided alongside this questionnaire.

Identify each cost separately. Include indirect material costs as a separate item only if not included in manufacturing overheads.

Provide this information for each quarter (or month if your company calculates costs on a monthly basis) and over the period of the investigation.

If you are unable to supply this information in this format, please contact the case manager for this investigation at the address shown on the cover of this questionnaire.

Please specify unit of currency.

Please refer to Attachment 26 – Domestic CTMS [CONFIDENTIAL].

2. Indicate the source of cost information (account numbers etc.) and/or methods used to allocate cost to the goods. Provide documentation and worksheets supporting your calculations.

G-5 Cost to make and sell goods under consideration (goods exported to Australia)

The information is relevant to calculating the normal values based on costs. It is also relevant to calculating certain adjustments to the normal value.

1. Complete the spreadsheet titled '**Australian CTMS**' in the '**Exporter questionnaire spreadsheets - ammonium nitrate**' Excel workbook provided alongside this questionnaire.

Identify each cost separately. Include indirect material costs as a separate item only if not included in manufacturing overheads.

Identify each cost separately. Please ensure non-operating expenses that relate to the goods are included. Where gains/losses due to foreign currency exchange are incurred, please provide detail of the amounts separately for transaction and translation gains/losses.

Provide this information for each quarter (or month if your company calculates costs on a monthly basis) and over the period of the investigation.

If you are unable to supply this information in this format, please contact the case officer for this investigation at the address shown on the cover of this questionnaire.

goods are in the ordinary course of trade. These provisions reflect the WTO anti-dumping agreement – see Article 2.2.1.

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Please specify unit of currency.

Please refer to Attachment 27 – Australian CTMS [CONFIDENTIAL].

2. Where there are cost differences between goods sold to the domestic market and those sold for export, give reasons and supporting evidence for these differences.

[CONFIDENTIAL TEXT DELETED – product specific costs]

3. Give details and an explanation of any significant differences between the costs shown, and the costs as normally determined in accordance with your general accounting system. Reference should be made to any differences arising from movements in inventory levels and variances arising under standard costing methods.

Not applicable. There are no differences between the costs shown and the costs as normally determined in accordance with Yara’s general accounting system.

4. In calculating the unit cost to make and sell, provide an explanation if the allocation method used (e.g. number, or weight etc.) to determine the unit cost differs from the prior practice of your company.

Not applicable.

G-6 Major raw material costs

List the major raw material costs, which individually account for 10% or more of the total production cost.

For these major inputs:

- identify materials sourced in-house and from associated entities;
- identify the supplier; and
- show the basis of valuing the major raw materials in the costs of production you have shown for the goods (e.g. market prices, transfer prices, or actual cost of production).

Where the major input is produced by an associate of your company, the Commission will compare your purchase price to a normal market price. If the associate provides information on the cost of production for that input, such cost data may also be considered.

Normal market price is taken to be the price normally available in the market (having

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regard to market size, whether the input is normally purchased at 'spot prices' or under long term contracts etc.).

The term 'associate' is defined in section 269TAA of the *Customs Act 1901*. Included in that definition are companies controlled by the same parent company (a company that controls 5% or more of the shares of another is taken to be an associated company); companies controlled by the other company; and companies having the same person on the board of directors.

Important note: If the major input is sourced as part of an integrated production process, you should provide detailed information on the full costs of production of that input.

There is only one raw material that makes up 10% or more of the cost of production of the AN, which is ammonia.

[CONFIDENTIAL TEXT DELETED – details of sources of ammonia]

**SECTION H
EXPORTER'S DECLARATION**

I hereby declare that Yara AB has completed the attached questionnaire and, having made due inquiry, certify that the information contained in this submission is complete and correct to the best of my knowledge and belief.

Name: Roland Erikers

Signature: Roland ER

Position in company: Managing Director

Date: 2018-08-14

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**SECTION I
CHECKLIST**

This section is an aid to ensure that you have completed all sections of this questionnaire.

Section	Please tick if you have responded to all questions
Section A – general information	<input checked="" type="checkbox"/>
Section B – export price	<input checked="" type="checkbox"/>
Section C – like goods	<input checked="" type="checkbox"/>
Section D – domestic price	<input checked="" type="checkbox"/>
Section E – fair comparison	<input checked="" type="checkbox"/>
Section F – exports to third countries	<input checked="" type="checkbox"/>
Section G – costing information	<input checked="" type="checkbox"/>
Section H – declaration	<input checked="" type="checkbox"/>

Electronic Data	Please tick if you have provided spreadsheet
INCOME STATEMENT	<input checked="" type="checkbox"/>
TURNOVER - sales summary	<input checked="" type="checkbox"/>
AUSTRALIAN SALES - list of sales to Australia	<input checked="" type="checkbox"/>
LIKE GOODS	<input checked="" type="checkbox"/>

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DOMESTIC SALES - list of all domestic sales of like goods	<input checked="" type="checkbox"/>
THIRD COUNTRY - summary of third country sales	<input checked="" type="checkbox"/>
PRODUCTION - production figures	<input checked="" type="checkbox"/>
DOMESTIC CTMS - cost of goods manufactured and sold domestically	<input checked="" type="checkbox"/>
AUSTRALIAN CTMS - cost of goods manufactured and sold to Australia	<input checked="" type="checkbox"/>

APPENDIX GLOSSARY OF TERMS

This glossary is intended to provide you with a basic understanding of technical terms that appear in the questionnaire.

Adjustments

To enable a fair comparison between the export price and the normal value Australian legislation provides for the adjustment of the domestic price paid for like goods. Adjustments are made to account for sales occurring at different times, specification differences, and differences in the terms or circumstances of the sales. The adjustment to the normal value may be upward or downward. Areas where you believe an adjustment is necessary should be identified. Section E of the questionnaire refers.

Examples of adjustments that may be made include: *sales occurring at different times*

(it is sometimes necessary to compare domestic and export sales made at different times - in these circumstances an adjustment may be made to reflect price movements during that time); *specification differences; packaging; taxes; level of trade; advertising; servicing/warranty; inland freight; warehousing; export charges; credit terms; duty drawback; commissions.*

Adjustments may also be required where the normal value is based upon costs to make and sell.

Arms length

Sales are not considered to be at “arms length” on your domestic market if there is any consideration payable for the goods other than their price, or there is an association between the buyer and the seller which affects the price, or there will be a reimbursement, compensation or benefit for, or in respect of, the price.

Constructed value

In cases where domestic prices paid for the goods under consideration in the country of export cannot be used for the determination of normal value, i.e. when there are no or insufficient sales or where such sales were not made in the ordinary course of trade, normal value may be based on a constructed value. Constructed value is calculated on the basis of the cost of production of the goods under consideration plus a reasonable amount for selling, general and administration costs, and for profits, that are associated with sales on the domestic market of the country of export.

Cost of production/manufacturing

The cost of production or manufacture consists of all manufacturing costs associated with the goods. It is the sum of direct materials, direct labour and factory overheads.

Cost to make and sell

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The cost to make and sell is the sum of the cost of production or manufacture, and the selling, general and administration costs associated with the sale of those goods.

Country of origin

The country in which the last significant process in the manufacture or production of the goods was performed.

Date of sale

The Commission will normally use the invoice date as recorded in the exporter or producer's records. Another date may be used if this better reflects the material terms of sale. The questionnaire directs attention to matching data sets of domestic and export sales where some other date is used, as well as matching cost information.

Direct labour cost

Direct labour is categorised as a variable cost, i.e. the value varies with the level of production.

Dumping

Dumping occurs when the products of one country are exported to another country at a price less than their normal value.

Dumping margin

Where the export price is less than the normal value the dumping margin is the amount of the difference. It can be expressed as a value or as a percentage of the export price.

Export price

The export price of the goods is usually the price paid or payable to the exporter in arms length transactions, in most instances calculated at the Free on Board (FOB) level.

Exporting country

The country of export is normally the country of origin from which the goods are shipped. The country of export may be an intermediate country, except where the products are merely transhipped through that country, or the products concerned are not produced in that country, and there is no comparable price in that country.

Factory overheads

Factory overheads consist of variable costs e.g. power, supplies, indirect labour and fixed costs e.g. factory rent, factory insurance, factory depreciation etc.

Goods under consideration (the goods)

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The goods to which the application for anti-dumping action relates. That is, the goods that you have exported to Australia.

Incoterms

The following abbreviations are commonly used (comment is provided concerning costs that are normally borne by the seller):

- EXW ex works (the seller's minimum obligation as costs relate to goods being made available at the sellers premises)
- FCA free carrier (main carriage not paid by seller. Pay costs until such time that the goods have been delivered at the named point into custody of a carrier named by the seller. Customs formalities, taxes etc. paid if required)
- FAS free alongside ship (main carriage not paid by seller. Deliver the goods alongside the ship)
- FOB free on board (main carriage not paid by seller. Deliver the goods on board, provide export clearance if required, pay loading costs to the point the goods have passed the ship's rail, pay customs formalities, taxes etc. payable upon exportation)
- CFR cost and freight (main carriage paid by seller. Pay all costs until delivered as well as freight, loading and unloading, pay customs formalities, taxes etc. payable upon exportation)
- CIF cost, insurance and freight (main carriage paid by seller. Pay all costs as under CFR as well as marine insurance)

the terms CFR and CIF are only used where goods are carried by sea or waterway transport

CPT carriage paid to

CIP carriage and insurance paid to

the terms CPT and CIP are used as alternatives to CFR and CIF where the goods are carried by air, road, rail etc.

DAF delivered at frontier (goods carried by rail or road and cleared for export at the named place at the frontier. Pay costs until delivered at the frontier plus any discharge costs incurred to place the goods at the customer's disposal)

DES delivered ex ship (goods made available to the buyer on board the ship uncleared for import at the named port of destination. Pay all costs incurred in placed at the disposal of the buyer, pay customs formalities, taxes etc. payable upon exportation, and where necessary for transit through another country)

DDU delivered duty unpaid (Pay all costs for carriage to the agreed point, pay customs formalities, taxes etc. payable upon exportation, and where necessary for transit

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through another country)

DDP delivered duty paid (goods made available at the named place in the country of importation – all risks and costs being incurred by the seller including duties, taxes etc. incurred upon importation)

Investigation period

A period defined by the Commission over which importations of the goods are examined.

Like goods

Like goods are goods sold on the domestic market of the country of export (or to a third country) that are identical in all respects to the goods under consideration or that, although not alike in all respects have characteristics closely resembling those of the goods under consideration. The term 'like goods' also refers to the goods produced by the Australian industry allegedly being injured by dumped imports.

Normal value

Australian legislation sets out several ways to assess "normal value".

The preferred method is to use the price paid for like goods sold for domestic consumption in the country of export. Usually, these sales are made by you, but there may be circumstances where it is appropriate to use sales made by other sellers on the domestic market.

Sale prices must be at arms length and in the ordinary course of trade. In the absence of relevant or suitable domestic sales, the normal value may be determined by constructing a price based upon all costs to make and sell the goods. Profit may also be included if the sales on the domestic market are profitable. Alternatively the normal value may be ascertained using the price paid for like goods sold in the ordinary course of trade at arms length to customers in a country other than Australia, however this option is rarely used.

Finally, when a normal value cannot be ascertained by any of the above methods, or if no information is provided, the Commission will determine the normal value by considering all the relevant information, including the applicant's information. This allows the applicant's information to be used where sufficient information has not been furnished or is not available.

Where domestic price generally, and the trade of the exporting country are determined or substantially influenced by the government of the exporting country, an alternative/surrogate market economy is selected by the Commission and the normal value is determined as if the surrogate country were the export source.

Ordinary course of trade

Testing for "ordinary course of trade" includes a comparison of the selling price and the

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unit cost to make and sell for the same period. If sales in respect of a substantial quantity of goods over an extended period of time, usually 12 months, do not recover all costs and these losses are not likely to be recovered within a reasonable period of time (again, usually 12 months), then the sales are regarded as being not in the ordinary course of trade.

There may be circumstances where it is appropriate to use a period other than 12 months in assessing whether sales are in the ordinary course of trade.

Unprofitable sales are to be taken to have occurred in substantial quantities during an extended period where the unprofitable sales amount to 20% or more of the total volume of sales of the goods by the exporter over the period. An extended period of time is usually taken to be a period not less than 12 months. Where unprofitable sales are rejected, normal value is based upon remaining profitable sales provided they occur in sufficient number. Where all sales have been made at a loss, or profitable sales are insufficient, the normal value may be constructed from costs to make and sell.

Selling, general and administration expenses (SG&A)

The selling, general and administration expenses includes all selling, distribution, general and administration expenses including finance costs that would be incurred if the goods were sold for domestic consumption in the country of export. The amounts are determined in each case using all the available information and may include expenses incurred in:

- domestic sales of like goods;
- sale of goods of the same general category by the exporter; or
- sales in the industry in the country of export.

The expenses must, however, reflect the selling, general and administration costs of the goods. Administrative and selling expenses include director's fees, management salaries and benefits, office salaries and benefits, office supplies, insurance, promotion, entertainment, depreciation and corporate overheads.