



Australian Government
Department of Industry,
Innovation and Science

Anti-Dumping
Commission

Supplementary Exporter Questionnaire



Exporter: Habaş Sinai ve Tibbi Gazlar İstihsal Endüstrisi A.Ş.

Case number:	495
Product:	Steel reinforcing bar
From:	The Republic of Turkey
Investigation period:	1 October 2017 to 30 September 2018
Response due by:	Friday, 17 January 2020
Case manager:	Tim King
Phone:	+ 61 3 8539 2447
Return completed questionnaire to:	investigations3@adcommission.gov.au
Anti-Dumping Commission website:	www.adcommission.gov.au

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BACKGROUND AND GENERAL INSTRUCTIONS

Background

On 20 June 2019, the Commissioner terminated the investigation into the alleged dumping and subsidisation of steel reinforcing bar exported to Australia from Turkey (Investigation 495). Further details of the reasons for the termination decisions can be found in Anti-Dumping Notice (ADN) No. 2019/80 and Anti-Dumping Commission Termination Report No. 495¹.

The applicant for the investigation, InfraBuild (Newcastle) Pty Ltd (formerly, Liberty OneSteel (Newcastle) Pty Ltd) (the applicant), subsequently lodged an application with the Anti-Dumping Review Panel (ADRP) for a review of the Commissioner's termination decisions. Subsection 269ZZN(b) of the *Customs Act 1901* (the Act) provides that the ADRP is able to review the Commissioner's decision, and subsection 269ZZT(1) of the Act indicates that the ADRP may either affirm or revoke a termination decision.

On 27 September 2019, the ADRP revoked the Commissioner's termination decisions. The ADRP's reasons for revoking the termination decisions are available at www.industry.gov.au.

Subsection 269ZZT(2) of the Act states that, as soon as practicable after the reviewable decision has been revoked, the Commissioner must publish a SEF². Following the publication of the SEF, the investigation resumes. Interested parties will then have 20 days within which to make submissions in response to the SEF, and the Commissioner will then provide a report to the Minister for Industry, Science, and Technology with recommendations on whether to publish a dumping duty and/or countervailing duty notice (unless the resumed investigation is terminated earlier).

The date of the publication of the SEF will depend on the outcome of the Anti-Dumping Commission's (Commission's) consideration of the ADRP's report and the Commission's consideration of what further work is necessary to address the issues identified by the ADRP.

Purpose of this questionnaire

The purpose of this questionnaire is to assist the Commission to obtain further information it considers necessary.

New submissions have been received from the applicant after the ADRP revoked the termination decision,. Public record versions of these submissions are available on the electronic public record (EPR) for this investigation. This questionnaire, in part, seeks further information to enable the Commission to consider the matters raised by the applicant.

In addition to responding to this questionnaire, interested parties may wish to also respond to the submissions made by the applicant by way of separate submission.

¹ Available via www.adcommission.gov.au.

² The SEF will be published on the electronic public record for Case No. 495 available via www.adcommission.gov.au.

PUBLIC RECORD

Response to this questionnaire

You may elect not to respond to this questionnaire. However, if you do not respond the Commission may be required to rely on information supplied by other parties (possibly information supplied by the Australian industry).

If you elect to respond to this questionnaire, the response is due by 17 January 2020.

Should you choose to provide a response to this questionnaire, please note the following.

Confidential and non-confidential versions of response to questionnaire

You are required to lodge a “for official use only” and a “public record” version of your submission by the due date.

In submitting these versions, please ensure that each page of the information you provide is clearly marked either “**FOR OFFICIAL USE ONLY**” or “**PUBLIC RECORD**” in the header and footer.

All information provided to the Commission “for official use only” will be treated confidentially. The public record version of your submission will be placed on the public record, which all interested parties can access.

Your non-confidential (public) submission must contain sufficient detail to allow a reasonable understanding of the substance of the “for official use only” version. If, for some reason, you cannot provide a non-confidential summary, contact the case manager (see contact details on the first page of this questionnaire).

Declaration

You are required to make a declaration that the information contained in the response is complete and correct. You must return the signed declaration of an authorised company official at the end of this questionnaire with the response.

Responses to questions

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;
- be in English (with fully translated versions of all requested and other applicable documents submitted);
- list your source(s) of information for each question;
- identify all units of measurement used in any tables, lists and calculations; and
- show any amounts in the currency in which they were originally denominated.

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. We therefore suggest 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.

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Previous responses

The Commission recognises that, in previous responses to questionnaires, you have provided numerous responses to questions and that you may have provided further information in response to matters arising from the verification of your exporter questionnaire response. In drafting this questionnaire, the Commission has sought to ensure that it is not duplicating a request for documents or information that may have been previously provided.

However, where responses to specific questions and/or requested documents have previously been provided, and your response or supporting documents are unaltered and remain current, you may refer to previous responses provided to the Commission. Please clearly identify where documents previously provided have been replaced with updated documents.

If you choose to reference previous questionnaire responses or evidence provided, please ensure these references are clear and consistent throughout.

Lodgement

Lodgement by email is preferred. The email address for lodgement is shown on the front cover of this questionnaire. If you lodge by email, you are still required to provide a “for official use only” and “public record” version of your submission by the due date.

You may also lodge your response by mailing it to the address shown on the front cover of this questionnaire. For questions requiring a response in a Microsoft Excel spreadsheet that cannot be emailed, please provide those spreadsheets on a CD-ROM or on a USB device.

Future questions and verification

Please note that after receiving the response to this questionnaire, the Commission may seek additional information from your company or seek to verify the information provided.

QUESTIONS

1. Reference is made to the applicant's submission dated 6 December 2019³ and the applicant's comments in relation to the US Department of Commerce's investigation numbered A-489-829 (Investigation A-489-829). The Commission notes that Habas' questionnaire response in Investigation A-489-829 disclosed that grade B500B had been sold on the Turkish home (domestic) market. Can you please:

i. specify the relevant period of investigation in Investigation A-489-829;

The period of investigation for the US Department of Commerce Investigation A-489-829 was 1 July 2015 to 30 June 2016.

ii. specify the volume of B500B sold on the Turkish domestic market during the investigation period for Investigation A-489-829; and

Habas sold [CONFIDENTIAL TEXT DELETED – number] of Grade B500B in the Turkish domestic market in the investigation period of US Department of Commerce Investigation A-489-829. This quantity represented [CONFIDENTIAL TEXT DELETED – number]% of Habas' total domestic sales for that period.

iii. advise whether you have submitted any other dumping and/or countervailing questionnaire responses to any non-Australian investigation authorities in relation to steel reinforcing bar where the relevant investigation period aligns or overlaps with the period of investigation for Investigation 495 (1 October 2017 to 30 September 2018). If so, please provide details of these investigations;

Habas participated in Canada Border Services Agency Re-Investigation (RB1&2 2017 RI), concerning concrete reinforcing bar. The period of investigation was 1 May 2017 to 31 October 2017. The Canada Re-Investigation concerned certain concrete reinforcing bar, which in the case of one kind of rebar (Rebar 1) originated in or was exported from China, Korea and Turkey, and in the case of another kind of rebar (Rebar 2) originating in or was exported from Belarus, Chinese Taipei, Hong Kong, Japan, Portugal and Spain.

2. It is noted that in Investigation 264 (investigation period 1 July 2013 to 30 June 2014), you disclosed sales of following grades on your domestic market:

- B500B
- GR500N
- GRB500B

³ EPR document number 40

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Please advise if there is a reason why you have not sold these grades on the Turkish domestic market during the investigation period for Investigation 495.

Habas confirms that these grades were not sold in the domestic market during the investigation period for this Australian investigation (495).

In the investigation period for the US Department of Commerce Investigation A-489-829 sales of B500B made up [CONFIDENTIAL TEXT DELETED – number]% of total domestic sales. Similarly, for the investigation period for Australian investigation 264, sales of B500B made up only [CONFIDENTIAL TEXT DELETED – number]% of total domestic sales.

These grades are simply not used, or not required, in the Turkish market except in very limited cases. The minimal sales are mostly made up of overruns, or where an export order might have been cancelled. Accordingly, Habas only sells grade B500B in exceptional cases, with [CONFIDENTIAL TEXT DELETED – grade] being by far the most common grade sold in the Turkish domestic market.

3. Please advise whether there were any domestic sales made to a non-Turkish standard during the investigation period for investigation 495. If so, please list the sale invoice numbers and specify the relevant standard(s) for these sales.

There were no domestic sales to a non-Turkish standard for the GUC during the investigation period.

4. Confidential Attachment Exhibit C-3-1 was provided to describe Habas' product code keys. It is noted that this exhibit does not include all relevant variables for the key codes (see copy of exhibit C-3-1 below). Please provide a full mapping of the product key codes that describes all variables within the product code system operated by Habas.

[CONFIDENTIAL TABLE DELETED – product code keys]

Please see Attachment 1 [CONFIDENTIAL ATTACHMENT], noting that for digits [CONFIDENTIAL TEXT DELETED – number] (size), inch sizes are expressed in 1/8s, so anything that includes a "/" is inch size (such as 03/8 meaning 3/8s of an inch. Should anything in the product code system require any clarification please do not hesitate to contact us.

5. Please provide source documents relating to the following domestic sales:

Number	Invoice
1	800131943

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2	800129902
3	800131878
4	800117753
5	800122498
6	800132331
7	800128044
8	800120473
9	800128513
10	800118090
11	800128850
12	800119252

The source documents to be provided include:

- purchase orders and order confirmations;
- commercial invoices;
- packing lists;
- proof of payment for invoice (e.g. bank statements)
- invoices for inland transport (where applicable); and
- relevant test certificates.

Please see Attachment 2 [CONFIDENTIAL ATTACHMENT].

EXPORTER'S DECLARATION

I hereby declare that Habaş Sinai ve Tibbi Gazlar İstihsal Endüstrisi A.Ş. have 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: FİKRİYE FİLİZ HASESKI

Signature : 

Position in

Company : DEPUTY GENERAL MANAGER OF EXTERNAL OPERATIONS

Date : Friday, 17 January 2020