



As Trustee for Marpac Unit Trust

2 Samantha Court
Knoxfield, Vic 3180
Ph: 03)9753 3826
Fax: 03)9277 7449
Account: admin@marpac.com.au
General: info@marpac.com.au
ABN: 66 896 613 519
ACN: 109 855 192

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Reuben McGovern
Assistant Director
Investigations 3
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

By email: Investigations3@adcommission.gov.au

Dear Rueben

Request to expand review of anti-dumping measures applying to resealable can end closures exported to Australia from the Republic of the Philippines by Genpacco Inc to include all exporters from Malaysia, the Philippines and Singapore

Thank you for your email on 27 November 2018 advising that the Commission has initiated a variables factor review of measures in relation to certain resealable end closures exported to Australia from the Republic of the Philippines by Genpacco Inc.

Marpac notes that the purpose of the review is to ascertain whether the variable factors, specifically the normal value and export price, relevant to the taking of the measures in respect of Genpacco from the Philippines have changed.

Marpac requests that the Commission expand the scope of the review (496) to include all exporters from Malaysia, the Philippines and Singapore and that the variable factors also include the non-injurious price (NIP).

PUBLIC RECORD

Tinplate

Marpac support's the following statements in the Commission's investigation report No. 350

The price of TRFs is affected by the costs of manufacture – raw materials, manufacturing overheads and labour. **Tinplate costs are the major portion of the cost of manufacture and hence the price of TRFs.** [emphasis added]

Marpac's position is that there have been movements in global tinplate prices since the initial investigation and this movement in prices has affected the variable factors relevant to the taking of measures with respect to TRF exports from the Philippines, Singapore and Malaysia.

Confidential attachment A shows the spot price of weighted exported prices for 0.21 mm sheet from [REDACTED] [name of subscription service]. The graph illustrates that during the investigation period 1 April 2015 to 31 March 2016 (applicable to Report No 350) world tinplate spot prices fell from around [REDACTED] [USD prices] and during the period for this Review (No 496) 1 October 2017 to 30 September 2018 tinplate prices increased from about [REDACTED] [USD prices].

Marpac supports the basis of this review to **ascertain** contemporary export price and normal values that reflect the **actual** costs of raw materials used in the manufacture of the goods exported to Australia.

Tinplate is a globally traded commodity and as tinplate is not produced in Malaysia, the Philippines or Singapore it is appropriate that all exporters are covered by measures reflecting contemporary tinplate prices.

Confidential Attachment B is a copy of the [REDACTED] [name of subscription service] Tinplate Quarterly Report.

This report shows recent trends in global tinplate prices and tinplate price trends and perspectives for 2018 and 2019. This report forecast the 2018 average price of tinplate for 2018 to be [REDACTED] above the average during 2017 and an average change of [REDACTED] for 2019.

For comparison purposes **Attachment C** shows the trends for the same period of the data supplied by the applicant.

Non-injurious Price (NIP)

The application lodged by Irwin requested the Commission to revise the level of measures because the following variable factors relevant to the taking of measures have changed:

- normal value, and
- export price.

Marpac requests that the non-injurious price NIP be included in this review as a variable factor relevant to the taking of measures that has changed for the following reasons:

- the NIP is the operative measure and therefore the lesser duty rule applied to exports subject to investigation 350 and
- the NIP was re-assessed during the recent Accelerated Review No. 474 (July 2018).

Marpac notes that the Commission reassessed the NIP for the Accelerated Review No 474 which had a review period of April 2017 to March 2018. The Commission based the NIP on Marpac's weighted