



**Australian Government**  
**Department of Industry,  
Innovation and Science**

**Anti-Dumping  
Commission**

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**PUBLIC FILE VERSION**

Application for a  
review of  
anti-dumping measures

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**ANTI-DUMPING COMMISSION**  
**Form B602**  
March 2018

APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901*  
FOR A REVIEW OF ANTI-DUMPING MEASURES

In accordance with section 269ZA of the *Customs Act 1901* (the Act), I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1. ☒ **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

☒ normal value

☒ export price

☐ non injurious price

☐ subsidy

The variable factors review is in relation to:

☐ ☒ a particular exporter (*if so provide name and country details*) Federal Metal Printing Factory Sdn Bhd, Malaysia

☐ exporters generally

or

2. ☐ **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

☐ the dumping duty notice

☐ the countervailing duty notice

☐ the undertaking

The revocation review is in relation to:

☐ a particular exporter (*if so provide name and country details*)

☐ exporters generally

NOTE

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

**DECLARATION**

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:	
Name:	Rohan Wiltshire
Position:	General Manager Food Can
Company:	Visy Packaging Pty Ltd
ABN:	13 095 313 723
Date:	9 September 2019

<b>Signature requirements</b>	<p>Where the application is made:</p> <p><i>By a company</i> - the application must be signed by a director, servant or agent acting with the authority of the body corporate.</p> <p><i>By a joint venture</i> - a director, employee, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.</p> <p><i>On behalf of a trust</i> - a trustee of the trust must sign the application.</p> <p><i>By a sole trader</i> - the sole trader must sign the application.</p> <p><i>In any other case</i> - contact the Commission's client support section for advice.</p>
<b>Assistance with the application</b>	<p>The Anti-Dumping Commission has published guidelines to assist applicants with the completion of this application. Please refer to the '<i>Instructions and guidelines for applicants: Application for review or revocation of measures</i>' on the Commission's website.</p> <p>The Commission's client support section can provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:</p> <p><b>Phone:</b> 13 28 46 or +61 2 6213 6000 (outside Australia)</p> <p><b>Fax:</b> (03) 8539 2499 or +61 3 8539 2499 (outside Australia)</p> <p><b>Email:</b> <a href="mailto:clientsupport@adcommission.gov.au">clientsupport@adcommission.gov.au</a></p> <p>Other information is available from the Commission's website at <a href="http://www.adcommission.gov.au">www.adcommission.gov.au</a>.</p> <p>Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the <i>Corporations Act 2001</i>), may obtain assistance, at no charge, from the International Trade Remedies Advisory (ITRA) Service. For more information on the ITRA Service, visit <a href="http://www.business.gov.au">www.business.gov.au</a> or telephone the ITRA Service Hotline on +61 2 6213 7267.</p>
<b>Review Period</b>	<p>The review period is <i>generally</i> the 12 month period preceding the initiation date and ending on the most recently completed month or quarter.</p> <p>For the purposes of information requested in this application, please consider the review period as the 12 month period ending on the most recently completed quarter prior to the date that you submit the application.</p> <p>The actual review period will be set by the Commissioner if a review is initiated, and may differ to that used by the applicant in the application form.</p>
<b>Required information</b>	<p>1. Provide details of the name, street and postal address, of the applicant seeking the review.</p> <p><b>Visy Packaging Pty Ltd</b></p> <p><b>Level 11, 2 Southbank Boulevard</b></p> <p><b>Southbank Vic 3006</b></p>

2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.

**Dr Ross Becroft**

**Gross & Becroft Lawyers**

**Suite 2, Level 3**

**182-184 Victoria Parade East Melbourne Victoria 3002**

**Tel: (03) 9866 5666**

**Email: ross@grossbecroft.com.au**

3. Name other parties supporting this application.

**Nil**

4. Describe your interest as an affected party (e.g. are you concerned with the exportation of the goods, the importation of the goods, or part of the Australian industry, or acting on behalf of the Government of an exporting country).

**Importer**

5. Provide details of the current anti-dumping measure(s) the subject of this review application and the goods subject to the measure(s), including:

- tariff classification **8309.90.90**
- **Goods the subject of this application: Resealable Can End Closures (Tagger Ring Foil) (TRFs).**
- the countries and/or companies **Malaysia, Federal Metal Printing Factory Sdn Bhd**
- specified date of publication of the measure  
**Anti-Dumping Notice No 2018/116 dated 15 August 2018 – Accelerated Review by Federal Metal Printing Factory Sdn Bhd**  
**Anti-Dumping Notice No 2017/20 dated 24 March 2017**  
**– Findings in relation to a dumping investigation**

6. If you are an exporter of the goods the subject of this application please answer the following questions: **Not Applicable – Visy Packaging Pty Ltd is an importer only**

- Have you exported the goods to Australia during the review period? **No**
  - o If yes, what was the total quantity and total value of the goods exported to Australia during the review period?
- Have you previously (prior to the review period) exported the goods to Australia? **No**
  - o If yes, please provide the total quantity and total value of

the goods exported to Australia each year during the three years prior to the review period.

- Have you exported like goods to countries other than Australia during the review period? **No**
  - o If yes, please provide the total quantity and total value of exports of the goods to each other country during the review period. Please indicate if any of the sales are to a related party.

*NB: In relation to the goods the subject of this application, 'like goods' means goods that are identical in all respects to the goods the subject of this application or, although not alike in all respects to the goods the subject of this application, have characteristics closely resembling those goods (s 269T(1) refers).*

*NB: Please note you must provide this information if you are an exporter of the goods the subject of the application. If you are not an exporter of the goods, you may choose to provide information relevant to this question.*

7. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters and/or users.

**Federal Metal Printing Factory Sdn Bhd**  
**Jalan Kawat 15/18 40000 Shah Alam Selangor Malaysia**  
**Foo Mun Choong (Tony Foo) – General Manager**  
**Tel + 60355194832**  
**Fax + 60355194832**  
**Mob + 60123793710**  
**Email: tonyfoo@kianjoocan.com.my**

**Applications  
for review of  
variable  
factors**

If you are applying for a variable factors review (in box 1 above) provide a detailed statement setting out your reasons. Include information about:

- the factor(s) you wish to have reviewed;
- the amount by which that factor is likely to have changed since anti-dumping measures were last imposed, and evidence in support; and **See Supporting Statement Attached**
- in your opinion the causes of the change and whether these causes are likely to persist.

**See Supporting Statement Attached**

**Application  
for a  
revocation  
review**

If you are applying for a revocation review (in box 2 above), provide a detailed statement setting out your reasons. **Not Applicable**

Include evidence in support of your view that there are reasonable grounds for asserting that the measures are no longer warranted. Refer to the 'Instructions and guidelines for applicants: Application for review or revocation of measures' as part of preparing your response. If you consider anti-dumping measures are no longer warranted because of:

**Lodgement of  
the  
application**

- *no dumping or no subsidisation*: provide evidence that there is no dumping, or no subsidy, and why dumping or subsidisation is unlikely to recur if measures were revoked.
- *no injury*: provide evidence that there is no current injury, and there is unlikely to be a recurrence of injury if the measures were to be revoked.

In accordance with subsection 269SMS(2) of the Act, this application, together with the supporting evidence, must be lodged by either:

- preferably, email, using the email address [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au), or
- post to:  
  
The Commissioner of the Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601, or
- facsimile, using the number (03) 8539 2499 (or +61 3 8539 2499 if outside Australia)

**Public Record**

During a review all interested parties are given the opportunity to defend their interests, by making a submission. The Commission maintains a public record of these submissions. The public record is available on the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

At the time of making the application both a confidential version (for official use only) and non-confidential version (public record) of the application must be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence, clearly showing the reasons for seeking the review, or, if those reasons cannot be summarised, a statement of reasons why summarisation is not possible. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.