



Australian Government
Department of Industry, Science,
Energy and Resources

Anti-Dumping
Commission

Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2021/60

Kraft Paperboard

Exported to Australia from the United States of America

Termination of Part of Investigation No. 548

Public notice under section 269TDA(15) of the Customs Act 1901

On 30 March 2020, Dale Seymour, the former Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping of kraft paperboard (the goods) exported to Australia from the United States of America (USA). The investigation followed an application lodged by Visy Glama Pty Ltd under section 269TB(1) of the *Customs Act 1901* (the Act).¹

Public notice of the decision to not reject the application and to initiate the investigation (the initiation notice) was published on the Anti-Dumping Commission's (Commission) website on 30 March 2020 in Anti-Dumping Notice (ADN) No. 2020/032.²

As a result of the Commission's investigation, I found that in relation to WestRock Company (WestRock), during the investigation period, its dumping margin was -0.5%. The dumping margin was assessed by comparing weighted average Australian export prices to the corresponding quarterly weighted average normal value for the investigation period under section 269TACB(2)(a).

I am satisfied that the following preconditions for termination of the investigation are met:

- (a) an application was made for a dumping duty notice (section 269TDA(1)(a)); and
- (b) there was no dumping by the exporter, namely WestRock (section 269TDA(1)(b)(i)).

Accordingly, I must terminate this investigation in so far as it relates to WestRock, in accordance with section 269TDA(1).

¹ All legislative references in this notice are to the *Customs Act 1901* (Cth) unless otherwise stated.

² Available on the electronic public record (EPR) for Investigation No. 548 as EPR item no. 3. The EPR is available via www.adcommission.gov.au.

In deciding to terminate the investigation in so far as it relates to WestRock, I have had regard to:

- the application;³
- submissions from interested parties concerning the publication of the initiation notice. I had regard to these submissions for the purpose of formulating *Statement of Essential Facts No. 548* (SEF 548);⁴
- SEF 548;⁵
- submissions in response to SEF 548, none of which directly address my preliminary recommendation to terminate the investigation against WestRock; and
- other relevant information, including WestRock's verification report.⁶

Section 269TDA(15) requires that in circumstances where I terminate an investigation in so far as it relates to a particular exporter, I must amongst other requirements, give public notice of that decision. This ADN is considered to be public notice as per section 269TDA(15).

The remainder of the investigation into the alleged dumping of the goods from the USA will continue. I am due to report to the Minister for Industry, Science and Technology in respect of this investigation on or before 23 July 2021 (Anti-Dumping Duty Notice No. 2021/61 refers⁷), unless the investigation is extended or terminated.

The applicant may request a review of this decision to terminate part of the investigation by lodging an application with the Anti-Dumping Review Panel in the approved form and manner within 30 days of the publication of this notice.

Enquiries about this notice may be directed to investigations3@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

7 May 2021

³ EPR item no. 1.

⁴ Refer to a list at Non-Confidential Attachment 1 to SEF 548, which is at EPR item no. 37.

⁵ WestRock's dumping assessment is outlined in Chapter 5 of SEF 548. The recommendation to terminate is primarily addressed in Chapter 6 of SEF 548.

⁶ EPR item no. 30.

⁷ EPR item no. 43.