



MINISTRY OF INDUSTRY AND TRADE
TRADE REMEDIES AUTHORITY OF VIET NAM

Ha Noi, June 11th, 2021

To:

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601
Australia
Phone number: +61 3 8539 2527
Email: investigations3@adcommission.gov.au

Subject: Submission of the Government of Viet Nam regarding the Preliminary affirmative determination regarding an anti-dumping and countervailing investigation against the precision pipe and tube steel exported to Australia from Viet Nam (Case 550)

Dear Commissioner,

On behalf of the Government of Viet Nam, the Trade Remedies Authority of Viet Nam (TRAV) under the Ministry of Industry and Trade of Viet Nam would like to extend its compliment on the objective findings of Statement of Essential Facts (SEF) as well as a Preliminary Affirmative Determination (PAD) regarding the Investigation 550 which were published by the Anti-Dumping Commission (Commission) on June 1st, 2021. On the occasion, the TRAV would like to express its comments on the Commission's findings as follows:

Initially, the TRAV welcomes the countervailing findings set out in SEF which confirms that Vietnamese exporters did not receive benefits from the investigated programs which exceeded *de minimis* levels and the recommendation that the investigation should be terminated for Vietnamese exporters. Therefore, the TRAV respectfully requests the Commission for immediate termination of the antidumping and countervailing investigation against Vietnamese exporters of precision pipe and tube steel in accordance with the requirements of subsection 269 TDA (2) of the *Customs Act 1901* and Article 11.9 of the Agreement on Subsidies and Countervailing Measures.

In addition, the TRAV also takes this opportunity to highlight the negative finding on the alleged existence of a particular market situation in Viet Nam in this investigation. This is the third case that the Australia Antidumping Commission has

investigated the allegation of the existence of a particular market situation in Viet Nam. The negative finding in this case confirms an obvious fact that the Government of Viet Nam does not interfere in the operation of any manufacturing or exporting sector in Viet Nam or implement any policy that results in potential market distortions in Viet Nam. This finding also demonstrates a thorough analysis of the Commission as well as a high degree of consistency in the investigating method and position from case to case, which would enhance the predictability of the whole investigating system.

Finally, given the consistent findings of *de minimis* amounts of subsidy received by Vietnamese exporters and the inexistence of a particular market situation in Viet Nam in all cases initiated against Viet Nam, the TRAV does hope that the Commission findings in Case 550 could be considered as evidence to assert that further countervailing and particular market situation allegations in the applications are whether sufficient for investigation initiation. This would mitigate the scope for potential frivolous applications and minimize the trade-distorting effect that these investigations have on the bilateral trade between Viet Nam and Australia.

In the light of objective findings in SEF and PAD of Case 550, we look forward to receiving the Commission's consistent findings in the Final Report.

Yours sincerely,



Chu Thang Trung (Mr)
Deputy Director General
Trade Remedies Authority of Viet Nam
Ministry of Industry and Trade of Vietnam

CC:

Embassy of the Socialist Republic of Viet Nam in Canberra
Viet Nam Trade Office in Australia