

27 August 2020

The Director
Investigations 2
Anti-Dumping Commission
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Public file

Dear Sir/Madam

Review 551 – Review of variable factors - A4 Copy Paper exported from Brazil, China, Indonesia and Thailand – Submission by Jackaroo Paper Pty Ltd

I. Introduction

I refer to the submission by Jackaroo Paper Pty Ltd (“Jackaroo”) concerning the determination of an unsuppressed selling price (“USP”) in the review of variable factors concerning exports of A4 copy paper (“the goods”) from Brazil, China, Indonesia and Thailand.

Paper Australia Pty Ltd (hereafter referred to as “Australian Paper”, or “AP”) seeks to address matters raised in the Jackaroo submission concerning exports of the goods from Brazil.

II. Unsuppressed selling price

Jackaroo correctly observes that the policy of the Anti-Dumping Commission (“the Commission”) in establishing a USP in investigations involving the review of measures will “...*generally not depart from the approach taken in the original investigation or a previous review, unless there has been a change in circumstances that either makes the earlier USP approach unreasonable, or less preferred amongst the other available options.*”

In the original investigation (“Inv 341”) the Commission determined the USP for the Australian industry based upon the Australian industry’s selling prices for A4 copy paper from the 2012/13 financial year. In subsequent Investigation No. 463 (“Inv 463”) concerning the export of A4 copy paper to Australia from Austria, Finland, Korea, Russia and Slovakia, the Commission noted the Commission’s practice as detailed in the Dumping and Subsidy Manual (“the Manual”) that whilst selling prices unaffected by dumping is the preferred basis for a USP these will “*generally be used provided that those prices are no older than five years*”.

As the selling prices in the 2012/13 year were older than five years, the Commissioner proposed (and this was accepted by the Minister) that the USP be based upon the Australian industry’s CTMS with an amount of profit included. The CTMS data related to the 1 January to 31 December 2017 investigation period.

As referenced, the Commission will only consider a change in the USP methodology on the basis there has been a “change in circumstances”.

Jackaroo’s representations are misleading as Jackaroo suggests that Australian Paper as the sole manufacturer of A4 copy paper in Australia has “embarked on a monopolistic strategy” which it is claimed is underpinned by anti-dumping measures.



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Australian Paper unequivocally rejects the baseless assertions of Jackaroo.

In 2016 Australian Paper made application for anti-dumping measures due to the injurious impact of dumped and subsidised imports. The Commission's investigation determined that imports of A4 copy paper from Brazil, China, Indonesia and Thailand supplied 52 per cent of the Australian market. Australian Paper could not be considered to hold a dominant position when the dumped imports held a majority share of the price-sensitive Australian market. Inv 463 thereafter established that the Australian industry had not recovered selling prices following Inv 341 and had in fact experienced price depression and suppression in 2017.

Australian Paper rejects the disparaging and baseless accusations levelled by Jackaroo that Australian Paper has operated a monopolistic strategy. This assertion is not supported by the Commission's findings.

Jackaroo further asserts that Australian Paper has imported A4 copy paper from South Africa and undercut selling prices of imported product supplied by Jackaroo during the 2019 investigation period. Australian Paper rejects the claims of Jackaroo and has. Australian Paper has previously responded to representations concerning its imports of A4 copy paper from South Africa (refer submission dated 22 July 2020) that have been overstated and not representative of the actual volume of goods under consideration. Further, Australian Paper does not consider that the small volume of imports from South Africa have influenced the selling prices across the entire Australian market, and therefore cannot be considered an appropriate benchmark for a USP.

III. Recommendation

Australian Paper rejects Jackaroos proposed basis for a USP as the referenced imports from South Africa have been overstated and were of an insufficient volume to influence the broader market selling prices for A4 copy paper.

Australian Paper recommends that the appropriate methodology for a USP in this review of measures inquiry is that which was recommended by the Commission (and accepted by the Minister) in its most recent Investigation 463 involving a USP based upon the Australian industry's CTMS in 2019 plus an appropriate amount of profit. Australian Paper proposes that the level of profit to be applied is that achieved in a period unaffected by dumping (i.e. 2012/13).

If you have any questions concerning this submission please do not hesitate to contact me on 0425 619 667.

Yours sincerely

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