



Customs Act 1901 – Part XVB

Painted steel strapping

Exported to Australia from the Socialist Republic of Vietnam

Findings in Relation to a Dumping Investigation

Public notice under section 269TL of the Customs Act 1901

Anti-Dumping Notice (ADN) no 2021/138

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed the investigation into the alleged dumping of painted steel strapping (the goods). The investigation concerned the goods exported to Australia from the People's Republic of China (China) and the Socialist Republic of Vietnam (Vietnam).

The goods the subject of the investigation (the goods) are:

Painted steel strapping, of carbon steel, whether or not in coils, whether or not waxed, with a nominal width of 12 mm to 32 mm, a nominal thickness of 0.5 mm to 1.5mm.

Stainless steel strapping and galvanised steel strapping are excluded from the goods.

The goods are generally, but not exclusively, classified to the following tariff subheadings in Schedule 3 of the *Customs Tariff Act 1995*:

Tariff Subheading	Statistical Code	Description
7212		FLAT-ROLLED PRODUCTS OF IRON OR NON-ALLOY STEEL, OF A WIDTH OF LESS THAN 600 mm, CLAD, PLATED OR COATED:
7212.40.00		Painted, varnished or coated with plastics:
	62	Of a width not exceeding 32 mm

Table 1 Summary of tariff subheadings

These tariff classifications and statistical codes may include goods that are both subject and not subject to this investigation. The listing of these tariff classifications and statistical codes are for convenience or reference only and do not form part of the goods description.

The Commissioner provided their findings and recommendations to me in *Anti-Dumping Commission Report No. 553 (REP 553)*. In REP 553, the Commissioner outlines the investigations carried out and recommends a dumping duty notice not be published in respect of the goods exported from Vietnam.

On 13 August 2021, the Commissioner terminated the dumping investigation into the goods exported from Vietnam by Sam Hwan Vina Co Ltd (Sam Hwan).¹ *Termination Report No. 553-A* (TER 553-A) sets out the reasons for that termination. TER 553-A is available at www.adcommission.gov.au

Particulars of the dumping margin established and an explanation of the method used to compare export prices and normal values to establish the dumping margin are set out in the following table:

Country	Exporter	Dumping Margin (%)	Method to establish dumping margin
Vietnam	All exporters (except Sam Hwan)	4.3	<i>Weighted average export prices were compared with weighted average corresponding normal values over the investigation period in accordance with section 269TACB(2)(aa) of the Customs Act 1901 (the Act).</i>

I, ANGUS TAYLOR, Minister for Industry, Energy and Emissions Reduction (the Minister), have considered and accepted the Commissioner's recommendations in REP 553. I have considered the reasons for the recommendations, the material findings of fact on which the recommendations are based and the evidence relied on to support those findings in REP 553.

I am not satisfied, as to the goods that have been exported to Australia from Vietnam, that material injury to an Australian industry producing like goods has been or is being caused because the export price of the goods exported from Vietnam is less than the normal value of those goods. Therefore, under section 269TL(1) of the Act, I have DECIDED NOT to declare that section 8 of the *Customs Tariff (Anti-Dumping) Act 1975* applies to the goods and like goods exported to Australia from Vietnam.

This decision applies in relation to all exporters of the goods and like goods from Vietnam (except Sam Hwan). REP 553 sets out the reasons for my decision not to publish a dumping duty notice in respect of the goods exported from Vietnam. REP 553 is available at www.adcommission.gov.au

The consideration relevant to my inability to be satisfied, for the purposes of section 269TG, that material injury to an Australian industry has been or is being caused by dumped goods from Vietnam, is the volume and price of dumped exports from Vietnam. The volume of those exports combined with the margin of dumping, in this instance, is not sufficient to have caused material injury to the Australian industry. I consider that dumped exports from Vietnam only partly contributed to the Australian industry's price injury and did not cause material injury. I consider that the material injury that has been caused by dumped goods exported to Australia is caused by exports from China rather than from Vietnam.

¹ ADN no 2021/101.

I did not consider the cumulative effect of the exportations of goods from China and Vietnam when determining whether material injury has been or is being caused. I did not consider the cumulative effect of exportations due to the following factual circumstances as detailed in REP 553:

- the size of the dumping margin for the goods exported to Australia in the investigation period from China relative to Vietnam
- the level of countervailable subsidisation of goods exported to Australia in the investigation period from China relative to Vietnam²
- the quantity of goods at above negligible levels of dumping and subsidisation exported from China during the investigation period relative to the quantity of goods at above negligible levels of dumping exported from Vietnam.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

REP 553 and other documents included on the public record are available at: www.adcommission.gov.au

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2518 or by email at: investigations3@adcommission.gov.au

Dated this 25th day of November 2021



ANGUS TAYLOR
Minister for Industry, Energy and Emissions Reduction

² Noting that the investigation did not examine the countervailable subsidisation of goods exported to Australia in the investigation period from Vietnam, given that the application did not seek the publication of a countervailing duty notice in respect of Vietnam.