

28 September 2020

**Ms Olivia Tsang**  
Acting Assistant Director  
Anti-Dumping Commission  
Investigations Unit 4  
GPO 2013  
Canberra  
Australian Capital Territory 2601

**Canberra**  
6/2 Brindabella Circuit  
Brindabella Business Park  
Canberra International Airport  
Australian Capital Territory 2609

Canberra +61 2 6163 1000  
Brisbane +61 7 3367 6900  
Melbourne +61 3 8459 2276

[www.moulislegal.com](http://www.moulislegal.com)

**Brisbane**  
Level 4, Kings Row Two  
235 Coronation Drive  
Milton, Brisbane  
Queensland 4064

**Melbourne**  
Level 39, 385 Bourke Street  
Melbourne  
Victoria 3000

**Australia**



commercial + international

By email

Dear Olivia

## **POSCO – aluminium zinc coated steel from Korea Confidentiality of MCC information**

We refer to the non-disclosure of MCC information relating to the goods sold in the domestic and Australian export markets in our client POSCO's Exporter Questionnaire ("EQ") response.

The Commission states in the EQ that *"a list of MCCs of the goods exported to Australia ... must be disclosed in the public record version of the response"* and that *"a list of MCCs of like goods sold on the domestic market... must be disclosed on the public record version of the response"*.

To clarify for Commission purposes, and for the information of interested parties, confidentiality is claimed for that information because:

- the MCC information is confidential, and it is not practical to provide a non-confidential summary of same;
- publication of the Australian MCC information would provide information that POSCO need not ordinarily advise to the public, potentially affecting the competitive advantage and market position of the goods;
- releasing the MCC information would enable **[CONFIDENTIAL TEXT DELETED – commercial details]** which has special value to all parties concerned as long as **[CONFIDENTIAL TEXT DELETED – commercial details]**; and
- non-disclosure of the Australian MCC information for the reasons stated means that disclosure of the domestic MCC information has no purpose.

Finally, we reiterate our strongly held opinion that the product itself is not within the terms of the goods under consideration as defined for the purposes of this investigation.

Yours sincerely

**Daniel Moulis**  
Partner Director

**+61 2 6163 1000**