



ANTI-DUMPING NOTICE NO. 2020/088

Customs Act 1901 (Cth)

Customs (Preliminary Affirmative Determinations) Direction 2015

**Aluminium zinc coated steel of a width less than 600
millimeters**

**Exported from the People's Republic of China and the Socialist
Republic of Vietnam**

Investigation No. 559 into alleged dumping and subsidisation

Day 60 Status Report

Introduction

The purpose of this Status Report is to set out the reasons why I, Dale Seymour, Commissioner of the Anti-Dumping Commission (Commissioner) have not made a preliminary affirmative determination (PAD) under section 269TD(1) of the *Customs Act 1901* (Cth) (the Act) on 31 August 2020.¹ This date is 60 days after the initiation of the investigation into the alleged dumping and subsidisation of aluminium zinc coated steel of a width less than 600 millimeters (the goods) exported to Australia from the People's Republic of China and the Socialist Republic of Vietnam.

This report and the findings contained herein reflect the status of the investigation at day 60. My findings may change as a result of further information, submissions, analysis or verification. Accordingly, at any time from day 60 onwards during the investigation, I may make a PAD if I am satisfied of the requirements set out in section 269TD(1) of the Act.

Background

On 30 June 2020, I initiated an investigation into the alleged dumping and subsidisation of aluminium zinc coated steel of a width less than 600 millimeters following an application by BlueScope Steel Limited (BlueScope) under section 269TB of the Act. Further details can

¹ Day 60 of the investigation is 29 August 2020, however as this falls on a Saturday, the earliest day a PAD can be made is the next business day, 31 August 2020.

be found in the public notice published on 30 June 2020 (refer to *Anti-Dumping Notice No. 2020/068* at www.adcommission.gov.au).

Under section 269TD(1) of the Act, I may make a PAD at any time, not earlier than 60 days after I initiate an investigation under Part XVB in relation to the publication of a dumping duty or countervailing duty notice, if I am satisfied that:

- there appears to be sufficient grounds for the publication of such a notice; or
- it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

In accordance with the *Customs (Preliminary Affirmative Determinations) Direction 2015* (the Direction), 60 days after the initiation of such an investigation I must either make a PAD or publish a Status Report outlining the reasons why I have not made a PAD.

Reasons

Information considered

In deciding whether to make a PAD on day 60 of this investigation, I have, in accordance with section 269TD(2) of the Act, had regard to:

- BlueScope's application;
- submissions received in response to the initiation of the investigation; and
- any other matters considered relevant to this investigation.

Reasons for not making a PAD

The Commission is currently examining various issues in the investigation, including:

- whether, because of a situation in the Chinese and Vietnamese market, sales of like goods in these markets are not suitable for use in determining an exporter's normal value under section 269TAC(1); and
- the level (if any) of countervailable subsidies received by Chinese and Vietnamese exporters.²

Presently, information available to the Commission at Day 60 of the investigation, in connection with normal values, and export prices and volume of the goods of exporters from all subject countries, is not yet sufficient to ascertain:

- if the goods exported to Australia have been dumped or subsidised at above negligible levels; and
- whether those goods, if dumped or subsidised at above negligible levels, has caused or is causing material injury to the Australian Industry.

² Section 4.4.3 of *Consideration Report No. 559* (CON 559) available on the Electronic Public Record at www.adcommission.gov.au.

All of the above issues and information are critical to determining whether a PAD is warranted at this stage.

As a result, at the time of making this report, I am unable to establish that there appear to be sufficient grounds for the publication of a notice or that it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

Accordingly, I have not made a PAD.

Other considerations

Relevant matters – section 269TD(2)(b)

In accordance with the Direction and for the purposes of section 269TD(2)(b) of the Act, I have considered the desirability of providing relief to an injured Australian industry as quickly as possible, where warranted.

I have decided relief is not warranted at this particular time, because I am not satisfied that there appears to be sufficient grounds to establish that the goods are dumped and/or subsidised, or to establish a causal link between the dumped and/or subsidised goods and material injury, for the reasons outlined above. However, I will continue to assess the need for a PAD and make one as soon as there appears to be sufficient grounds to do so based on the evidence available to me.

Reconsideration of making a PAD – section 269TDAA

After publishing this report, I must reconsider whether to make a PAD at least once prior to the publication of the Statement of Essential Facts (SEF) required under section 269TDAA of the Act. The SEF is due to be published on 19 October 2020. Prior to the publication of the SEF, or in the SEF itself, I will advise whether a PAD is warranted and the reasons for my decision.

Anti-Dumping Commission Contact

Enquiries about this report may be directed to the case manager at:
investigations4@adcommission.gov.au

Dale Seymour
Commissioner
Anti-Dumping Commission

31 August 2020