



Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2020/102

Steel reinforcing bar

Exported from the Republic of Korea, Singapore, Spain (except Nervacero S.A.) and Taiwan (except Power Steel Co. Ltd.)

Initiation of a Review of Anti-Dumping Measures No. 566

Notice under section 269ZC(4) of the Customs Act 1901

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have initiated a review of the anti-dumping measures applying to certain steel reinforcing bar (the goods) exported to Australia from the Republic of Korea, Singapore, Spain (except Nervacero S.A.) and Taiwan (except Power Steel Co. Ltd) (collectively referred to hereafter as, the subject countries). The review will examine whether the variable factors relevant to the taking of the anti-dumping measures as they affect all exporters¹ of the goods from the subject countries have changed.

The Goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice are:

Hot-rolled deformed steel reinforcing bar whether or not in coil form, commonly identified as rebar or debar, in various diameters up to and including 50 millimetres, containing indentations, ribs, grooves or other deformations produced during the rolling process. The goods include all steel reinforcing bar meeting the above description of the goods regardless of the particular grade or alloy content or coating.

The goods subject to the anti-dumping measures do not include:

- Plain round bar.
- Stainless steel.
- Reinforcing mesh.

¹ Except Nervacero S.A. and Power Steel Co. Ltd.

The goods are generally, but not exclusively, classified to the following tariff subheadings in Schedule 3 to the *Customs Tariff Act 1995*.²

Tariff Subheading	Statistical Code	Description
7213		BARS AND RODS, HOT-ROLLED, IN IRREGULARLY WOUND COILS, OF IRON OR NON-ALLOY STEEL
7213.10.00	42	Containing indentations, ribs, grooves or other deformations produced during the rolling process
7214		OTHER BARS AND RODS OF IRON OR NON-ALLOY STEEL, NOT FURTHER WORKED THAN FORGED, HOT-ROLLED, HOT-DRAWN OR HOT-EXTRUDED, BUT INCLUDING THOSE TWISTED AFTER ROLLING
7214.20.00	47	Containing indentations, ribs, grooves or other deformations produced during the rolling process or twisted after rolling
7227		BARS AND RODS, HOT-ROLLED, IN IRREGULARLY WOUND COILS, OF OTHER ALLOY STEEL
7227.90		Other
7227.90.10	69	Goods, as follows: a. of high alloy steel; b. "flattened circles" and "modified rectangles" as defined in Note 1(l) to Chapter 72
7227.90.90	01	<i>Containing indentations, ribs, grooves or other deformations produced during the rolling process</i>
	02	<i>Of circular cross-section measuring less than 14 mm in diameter</i>
	04	<i>Other</i>
7228		OTHER BARS AND RODS OF OTHER ALLOY STEEL; ANGLES, SHAPES AND SECTIONS, OF OTHER ALLOY STEEL; HOLLOW DRILL BARS AND RODS, OF ALLOY OR NON-ALLOY STEEL
7228.30		Other bars and rods, not further worked than hot-rolled, hot-drawn or extruded
7228.30.10	70	Goods, as follows: a. of high alloy steel; b. "flattened circles" and "modified rectangles" as defined in Note 1(m) to Chapter 72
7228.30.90	40	<i>Containing indentations, ribs, grooves or other deformations produced during the rolling process</i>
7228.60		Other bars and rods
7228.60.10	72	Goods, as follows: a. of high alloy steel; b. "flattened circles" and "modified rectangles" as defined in Note 1(m) to Chapter 72

These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes is for reference only and do not form part of the goods description.

² Tariff classification 7227.90.90 (statistical code 42) was replaced by 7227.90.90 (statistical code 02) from 1 July 2015.

Background to the measures

The anti-dumping measures were initially imposed by public notice on 19 November 2015 by the then Parliamentary Secretary to the Minister for Industry, Innovation and Science following consideration of *Anti-Dumping Commission Report No. 264* (REP 264). These measures are applicable to all exporters³ of the goods from the subject countries.

The Anti-Dumping Commission (the Commission) initiated a continuation inquiry in relation to the measures on 3 March 2020.⁴ Unless continued the anti-dumping measures are due to expire on 19 November 2020.

The current review

An application was lodged by InfraBuild (Newcastle) Pty Ltd (InfraBuild) under section 269ZA(1) of the *Customs Act 1901* (the Act) for a review of the dumping duty notice in relation to the goods exported to Australia from the subject countries.

The reasons for my decision not to reject the application for review are set out in *Anti-Dumping Commission Consideration Report No. 566*, which has been placed on the public record.

The review period is 1 July 2019 to 30 June 2020 and covers all exporters of the goods from the subject countries (except Nervacero S.A. in Spain and Power Steel Co. Ltd in Taiwan). The review will examine whether the variable factors relevant to the taking of the measures have changed.

After conducting the review, I will recommend to the Minister that the dumping duty notice:

- i. remain unaltered; or
- ii. have effect in relation to a particular exporter or to exporters generally, as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that the anti-dumping measures are no longer warranted, that party may lodge an application⁵ no later than **19 October 2020**⁶ to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

Future Reviews

Under section 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measure or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice that is the subject of this review cannot be made for a period of 12 months.

³ Except Nervacero S.A. and Power Steel Co. Ltd .

⁴ [Anti-Dumping Notice 2020/020](#)

⁵ In accordance with section 269ZCB of the Act.

⁶ This is the next working day after 17 October 2020 which is 37 days after the publication of this notice

Proposed model control code structure

On 9 August 2018, the Commission advised in Anti-Dumping Notice No. 2018/128 that a model control code (MCC) structure would be implemented in new investigations, reviews of exporters generally, or continuations for cases initiated after this date.⁷

The table below outlines the Commission's proposed MCC structure for this review.

Item	Category	Sub-category	Identifier	Sales Data	Cost Data
1	Prime	Prime	P	Mandatory	N/A
		Non-Prime	N		
2	Minimum yield strength specified by product standard (Mega Pascals or "MPa")	Less than or equal to 300	A	Mandatory	Mandatory
		Greater than 300 but less than or equal to 480	B		
		Greater than 480 but less than 550	C		
		Equal to or greater than 550	D		
3	Finished form	Rebar in length/straight	S	Mandatory	Mandatory
		Rebar in coil	C		
4	Nominal diameter (millimetres or "mm")	Less than 12	A	Mandatory	Optional
		Greater than or equal to 12 and less than or equal to 16	B		
		Greater than 16 and less than or equal to 32	C		
		Greater than 32 and less than or equal to 50	D		
5	Length (metres or "m")	Less than or equal to 6	1	Mandatory	Optional
		Greater than 6 and less than or equal to 12	2		
		Greater than 12	3		
		Coil product	C		
6	Deformation pattern along Length	Threaded	T	Mandatory	Optional
		Non-Threaded	N		

Proposals to modify the proposed MCC structure outlined above should be raised as soon as is practicable, but no later than **19 October 2020**⁸, the day submissions concerning the review of the measures are due.

Interested parties are encouraged to make submissions on whether proposed modifications to the MCC structure should be accepted by the Commission. Any changes

⁷ Full guidance regarding the Commission's MCC structure is provided in [Anti-Dumping Notice No. 2018/128](#) on the Commission's website.

⁸ This is the next working day after 17 October 2020 which is 37 days after the publication of this notice

to the MCC structure will be considered by the Commission and reported in verification reports or in the statement of essential facts.

Public Record

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record is available at www.adcommission.gov.au

Lodgment of submissions

Interested parties, as defined by section 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than the close of business on **19 October 2020**⁹, addressed to:

The Director - Investigations 2
GPO Box 2013
CANBERRA ACT 2601

or email:

investigations2@adcommission.gov.au

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "OFFICIAL: Sensitive".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

⁹ This is the next working day after 17 October 2020 which is 37 days after the publication of this notice

Statement of Essential Facts

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Minister within the legislative timeframe. A statement of essential facts (SEF) will be placed on the public record by **29 December 2020**, or by such later date as allowed in accordance with section 269ZHI of the Act.¹⁰ The SEF will set out the essential facts on which I propose to base a recommendation to the Minister. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

Report to the Minister

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Minister. A recommendation to the Minister will be made in a report on or before **12 February 2021** (or such later date as allowed under section 269ZHI of the Act).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2462 or investigations2@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

10 September 2020

¹⁰ On 14 January 2017, the Parliamentary Secretary delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner of the Anti-Dumping Commission. Refer to [Anti-Dumping Notice No. 2017/10](#) for further information.