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## **ANTI-DUMPING NOTICE NO. 2022/020**

### **Clear Float Glass**

### **Exported to Australia from Malaysia and the United Arab Emirates**

### **Extension of time granted to issue the Final Report in relation to Investigation No 582**

*Customs Act 1901 (Cth) – Part XVB*

On 27 April 2021, the Commissioner of the Anti-Dumping Commission (Commissioner) published a notice (initiation notice)<sup>1</sup> announcing the initiation of an investigation into the alleged dumping of clear float glass (CFG, the goods)<sup>2</sup> exported to Australia from Malaysia and the United Arab Emirates (UAE), and the alleged subsidisation of the goods exported to Australia from Malaysia.<sup>3</sup>

The initiation notice advised that the Commissioner would publish a statement of essential facts (SEF) on the public record by 16 August 2021. The initiation notice also advised that the Commissioner would make a recommendation to the then Minister for Industry, Science and Technology in a final report on or before 29 September 2021.

As advised in Anti-Dumping Notice (ADN) Nos 2021/105 and 2021/143, the Commissioner extended the due dates to publish the SEF and provide the final report to the Minister for Industry, Energy and Emissions Reduction (the Minister). The commission published the SEF on the public record on 14 December 2021. The Commissioner was due to make a recommendation to the Minister in a report on or before 18 February 2022.

To allow the commission to consider submissions made by interested parties to the SEF,<sup>4</sup> and to request further information from the applicant, Oceania Glass Pty Ltd (Oceania Glass), I, Isolde Lueckenhausen, General Manager of the commission,

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<sup>1</sup> ADN No 2021/054, available on the Anti-Dumping Commission's (commission) website at [www.adcommission.gov.au](http://www.adcommission.gov.au)

<sup>2</sup> A full description of the goods is available in the initiation notice.

<sup>3</sup> The commission notes that the investigation as it relates to Malaysia was terminated in its entirety on 18 February 2022. Therefore the extension to the final report advised in this notice relates to the investigation as it relates to the UAE only.

<sup>4</sup> Electronic public record 582, nos 22 to 25, available at [www.adcommission.gov.au](http://www.adcommission.gov.au)

requested a further extension of the due date for the Commissioner to provide his final report and recommendation to the Minister. A copy of the commission's information request to Oceania Glass is at **Attachment A**.

The Commissioner has, under section 269ZHI(3) of the *Customs Act 1901*(Cth) (the Act), extended the due date to provide his final report and recommendation.

The Commissioner is now due to provide his final report to the Minister on or before **11 March 2022**. The Commissioner is not inviting further submissions by granting this extension.<sup>5</sup>

Documents included in the public record are available at [www.adcommission.gov.au](http://www.adcommission.gov.au)

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2525 or at [investigations3@adcommission.gov.au](mailto:investigations3@adcommission.gov.au)

Isolde Lueckenhausen  
General Manager  
Anti-Dumping Commission

18 February 2022

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<sup>5</sup> In accordance with section 269TEA(4) of the Act, the Commissioner is not obliged to have regard to any submission made in response to the SEF received after the end of the 20 day period for submissions, if to do so would, in the Commissioner's opinion, prevent the timely preparation of the report to the Minister.

## Attachment A

The commission requests further information and evidence regarding Oceania Glass's pricing, specifically the following:

- Further examples of Oceania Glass's use of an import price parity (IPP) model and how it takes into account prices of the goods exported from the UAE, relevant to the investigation period. If possible provide examples in relation to both cooperating exporters in respect of the investigation.
- Explain and provide evidence of how the IPP model factored in prices from other countries that are not subject to the investigation, during the investigation period.
- Explanation of how the IPP model is used by Oceania Glass or factored into customer specific price negotiation process, relevant to the investigation period. Provide evidence of the how the IPP model has been used internally by sales staff to arrive at a final customer specific price during the investigation period.
- How Oceania's price increases following the investigation period were determined by Oceania Glass. In responding, please confirm whether or not those price increases were determined using the same IPP model said to be utilised during the investigation period or whether any additional considerations were taken into account.

Please provide both a confidential and non-confidential version of your response by 25 February 2022.