



Opal Australian Paper
ABN 56 637 020 467
Level 2/109 Burwood Road
Hawthorn VIC 3122
AUSTRALIA
T: +61 3 9811 7355
opalanz.com
A member of the Nippon Paper Group

Public File

22 September 2021

The Director
Investigations 2
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601
Email: investigations2@adcommission.gov.au

Received: 22 September 2021

Dear Sir/Madam

Investigation 588 - Opal Australian Paper response to UPM Asia Pacific Pte Ltd submission

I. Introduction

Paper Australia Pty Ltd (hereafter referred to as “Opal Australian Paper”, or “OAP”) has reviewed recent interested party submissions in response to the initiation of Continuation Inquiry Notice (“Inquiry 588”) and responds to the Electronic Public Record (“EPR”) submission No. 6 made on behalf of UPM Asia Pacific Pte Ltd (“UPM”) and published on 6 September 2021.

Opal Australian Paper reiterates its position expressed in its last submission (No. 5 on the EPR), which it believes has adequately addressed most of the repeated concerns raised again by UPM. OAP rejects in the strongest terms claims made by UPM that the Commission has initiated the inquiry without sufficient information; that the application must be rescinded; or the measures must be discontinued in connection with any of the extraneous reasons listed.

II. Available Information

OAP disagrees with the suggestion made by UPM that as of its 6 September submission that OAP has not provided the Commission with sufficient information upon which it could initiate or continue the conduct of Continuation Inquiry No. 588. OAP notes that in addition to the information provided in its application, the Commission now has access to additional information in the form both OAP’s 24 August submission, as well as full responses to two confidential follow up questionnaires as part of the industry verification process. The submission, questionnaire responses and confidential attachments address in great detail all of the confidential background relating to this matter and others raised by the Commission. UPM’s claim which suggests that there is a lack of sufficient or reliable information at the Commission’s disposal is therefore not based in fact and is unsupported by evidence.

III. Other Matters

In its submission UPM lists an array of ‘other matters’, some of which have already been addressed in OAP’s last submission or dealt with in follow up questionnaires, whilst others are considered by OAP to be merely argumentative, vexatious, irrelevant or unrelated. The fact remains that UPM’s contention that the Commission does not have access to sufficient information on which to initiate or continue its inquiry is unsupported by the facts.



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IV. Conclusion

Opal Australian Paper rejects in the strongest terms the claims made by UPM that the Commission has initiated the inquiry in the absence of sufficient information; and that the application must therefore be rescinded; or that the measures must be discontinued. Given the lack of evidence or logic in support of its claims, it is OAP's contention that UPM seeks to distract the Commission from its role in conducting its inquiry process including full verification of all relevant information available to it.

If you have any questions concerning this submission please do not hesitate to contact me on 0425 619 667.

Yours sincerely

A handwritten signature in black ink that reads "Matt Decarne".

Matt Decarne
Trade Affairs Manager