

16 May 2022

The Director, Investigations 2  
Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601

**BY EMAIL:**  
**Investigations2@adcommission.gov.au**

Dear Director,

**Accelerated Review No. 600 concerning Steel Reinforcing Bar exported from South Korea**

### AUSTRALIAN INDUSTRY SUBMISSION

InfraBuild NSW Pty Limited (**InfraBuild**), notes the publication of a *Response of Trader Questionnaire* completed by LAVA Corporation (**LAVA**) in relation to the *Accelerated Review No. 600* applied for by South Korean exporter, Dongkuk Steel Mill Co., Ltd (**Dongkuk**). InfraBuild raises the following matters for consideration by the Commission:

#### **1. Completeness of export sales to Australia**

In September 2021 the Commission's Trade Remedy Index (**TRINDEX**) reported an index value for 'Rod in Coil' exported from Korea. Given Korean exports of Rod in Coil to Australia have been largely absent for a number of years, InfraBuild requests that the Commission review the details of the shipment identified in September imports as 'Rod in Coil' and confirm whether it was in fact Steel Reinforcing Bar in Coil (**rebar**), likely Grade 500N, exported by Dongkuk or LAVA.

If misclassification has occurred and these goods are indeed rebar exported by Dongkuk or LAVA, these goods ought to be included in the export sales for this accelerated review (EPR 600). It is further noted that dumping duties would not have been collected by Australian Border Force for imports of these goods if properly assessed to be rebar.

#### **2. Determination of export price for direct and trader exports**

InfraBuild notes that for sales by Dongkuk direct to Australian customers, the export price will likely be determined under paragraph 269TAB(1)(a)<sup>1</sup>, as the price paid by the importer (Dongkuk's Australian customer) to the exporter less transport and other costs arising after exportation.

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<sup>1</sup> Legislative references are to provisions of the *Customs Act 1901*, unless expressly stated.

For sales made through the trader LAVA, the goods have not been purchased by the importer (LAVA's Australian customer) from the exporter (Dongkuk), therefore paragraphs 269TAB(1)(a) and (b) do not apply. InfraBuild recommends that for these sales the export price be determined under paragraph 269TAB(1)(c), having regard to all the circumstances of the exportation. Specifically, that the export price be determined as the price paid by LAVA to Dongkuk less transport and other relevant costs arising after exportation.

Please do not hesitate to contact your InfraBuild Steel representative on record with any questions.

FOR AND ON BEHALF OF THE

**AUSTRALIAN INDUSTRY APPLICANT**