



*Customs Act 1901 – Part XVB*

## **ANTI-DUMPING NOTICE NO 2022/080**

### **Ammonium Nitrate**

### **Exported from Chile, Lithuania and the Socialist Republic of Vietnam**

### **Termination of part of Investigation No 605**

#### ***Public notice under section 269TDA(15) of the Customs Act 1901***

On 8 June 2022, I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping of ammonium nitrate (the goods) exported to Australia from Chile, Lithuania and the Socialist Republic of Vietnam (Vietnam). The investigation followed an application lodged under section 269TB(1) of the *Customs Act 1901* (Cth) (the Act)<sup>1</sup> by CSBP Limited, Orica Australia Pty Ltd and Queensland Nitrates Pty Ltd.

Public notice of my decision to not reject the application and to initiate the investigation was published on the Anti-Dumping Commission's (commission) website on 8 July 2022.<sup>2</sup>

As outlined in a file note published on 27 July 2022,<sup>3</sup> the commission has found that there have been no exports of the goods to Australia from Chile during the investigation period.<sup>4</sup>

As a result of the commission's investigation, I am satisfied that:

- there has been no dumping by any exporters from Chile of any of the goods the subject of the application. Therefore, the conditions for terminating the investigation in accordance with section 269TDA(1)(b)(i), so far as it relates to all exporters from Chile, have been met
- the total volume of goods that have been exported to Australia from Chile over a reasonable examination period that have been dumped is negligible. Therefore, the conditions for terminating the investigation in accordance with section 269TDA(3), so far as it relates to Chile, have been met

<sup>1</sup> All legislative references in this notice are to the *Customs Act 1901* (Cth) unless otherwise specified.

<sup>2</sup> Anti-Dumping Notice 2022/050, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

<sup>3</sup> Electronic Public Record (EPR) 605, no 015.

<sup>4</sup> At the time of publishing this ADN, the commission has received one submission from Whitehaven Coal Limited in support of terminating the investigation against Chile, EPR 605, no 16.

- the injury, if any, to the Australian industry, that has been, or may be, caused by exports of the goods from Chile is negligible. Therefore, the conditions for terminating the investigation in accordance with section 269TDA(13), so far as it relates to Chile, have been met.

I have therefore terminated the investigation so far as it relates to:

- all exporters from Chile, and
- Chile.

In making the decision to terminate part of this investigation, I have had regard to the application, submissions from interested parties, information from the Australian Border Force import database and the reasons outlined in the file note published on 27 July 2022.

The investigation into the alleged dumping of the goods from Lithuania and Vietnam will continue.

I am due to publish the Statement of Essential Facts in relation to this investigation on or before 26 September 2022, unless extended.

The applicants may request a review of this decision to terminate the investigation by lodging an application with the Anti-Dumping Review Panel in the approved form and manner within 30 days of the publication of this notice.

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

Dr Bradley Armstrong PSM  
Commissioner  
Anti-Dumping Commission

3 August 2022