



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2012/37

Formulated glyphosate

Exported from

The People's Republic of China

Termination of an investigation

CUSTOMS ACT 1901 – PART XV B

On 6 February 2012, the Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) initiated an investigation into the alleged dumping of formulated glyphosate exported to Australia from the People's Republic of China (China), following an application lodged by Nufarm Limited and Accensi Pty Ltd.

Customs and Border Protection published a notice in *The Australian* on 6 February 2012 notifying of the initiation of the investigation, and released Australian Customs Dumping Notice (ACDN) 2012/05, which contains further details on the investigation (available at www.customs.gov.au).

The goods the subject of the application (the goods) are formulated glyphosate.

As a result of Customs and Border Protection's investigation, the Delegate of the CEO of Customs and Border Protection:

- in relation to Jiangsu Good Harvest Weien Agrochemical Co Ltd, Shandong Weifang Rainbow Chemical Co., Ltd and Zhejiang Xinan Chemical Industrial Group Co., Ltd (including goods indirectly exported through Zhejiang Wynca Import And Export Co., Ltd), is satisfied that there has been no dumping by those exporters of any of those goods the subject of the application and, therefore, has decided to terminate the investigation in accordance with s.269TDA(1) of the *Customs Act 1901* so far as it relates to those exporters; and
- is satisfied that the total volume of goods that have been exported to Australia over a reasonable examination period from China that have been dumped from all other Chinese exporters is negligible and, therefore, has decided to terminate the investigation so far as it relates to China in accordance with s.269TDA(3) of the *Customs Act 1901*.

In making the decisions to terminate, the Delegate of the CEO had regard to the application, submissions from interested parties, Statement of Essential Facts (SEF) no. 183, submissions in response to that SEF, and other relevant information.

Termination Report no. 183, which sets out reasons for the termination decisions, including the material findings of fact or law upon which the decisions are based, is available on Customs and Border Protection's Public Record of the investigation, and on Customs and Border Protection's website at www.customs.gov.au.

A notice of the decision to terminate was published in *The Australian* newspaper on 2 August 2012.

The applicants may request a review of the delegate's decision to terminate the investigation by lodging an application with the Trade Measures Review Officer (TMRO) in the approved form and manner within 30 days of the publication of the public notice.

The TMRO can be contacted by telephone, facsimile, post or email as shown below:

Trade Measures Review Officer
c/- Kristy Alexander
Senior Executive Lawyer
Australian Government Solicitor
Level 42 MLC Centre
19 Martin Place
SYDNEY NSW 2000

Email: kristy.alexander@ags.gov.au
Tel: 02 9581 7640
Fax: 02 9581 7732

Enquiries concerning this notice may be directed to the case manager on telephone number (02) 6275 5965, fax number (02) 6275 6990 or email itrops2@customs.gov.au.

Kim Farrant
National Manager
International Trade Remedies Branch
CANBERRA ACT

2 August 2012