

27th May 2021

The Commission

Anti-Dumping Commission

GPO Box 1632

Melbourne, Vic., 3001

By Email: clientsupport@adcommission.gov.au

Non-Confidential

Re: Additional submission re Exemption Case 00080

Dear Commissioner,

VoxGroup Pty Ltd trading as VoxTrade hereby provide an additional submission in relation to the claims made by Bluescope Steel and its subsidiary Orrcon (Orrcon) published on the 12th May 2021.

It must be initially noted that the submission by Orrcon was made outside the original timelines for lodgement as stated in the Anti-Dumping Notice no. 2021/39. Our first request would be based on this detail alone the submission should be discounted. As an extension to this request it appears to be a very late attempt by Orrcon, after the publishing of our additional submission, to confirm they manufacture or produce these goods.

We would therefore question the legitimacy of the data and the coincidental timing of this submission as it appears to be a very short, reactive response which was not submitted within the timeframe requested by the ADC.

There are a number of issues with regards to the submission and the exemption we would like to address with the ADC.

The first point is the issue of whether the goods, which Orrcon state they produce, are actually identical goods as claimed.

We understand, due to the historical cases for HSS, that Orrcon produce tube and pipe within Australia. This is irrefutable as the cases date back over a 10 year period however we continue to state that the goods produced by Orrcon are not identical goods to those which we are seeking exemption.



The goods, as described in the exemption, are utilised within the Australian building industry and must be made to the specified standards outlined in the description. It is illegal to use any goods of inferior quality or standards within this industry. It is illegal to use products that are not compliant with the required standards.

These requirements are in place to protect not only the tradespeople working within the industry but also the end consumer who purchases or uses the building for their day to day purposes. Using inferior products could lead to electrical fires and potentially the loss of life should products fail in their designated purpose.

This fact has become of even greater importance given the high number of issued within the building industry in relation to inferior or not to standard products being used.

It is our contention that Orrcon do not manufacture goods to the Australian standards and therefore cannot be considered to be identical goods. The use of the goods and the requirements of the industry mean you cannot purchase any type of pipe and use it for this purpose.

We would also like to contend we have purposely included the Australian Standards in the description to protect Orrcon against the importation of goods which may encroach on their manufacturing capabilities. This was purposely done to assist Orrcon in continuing protection of their production whilst allowing a very specialised product, with a small market service by 4-5 companies locally, to be able to import the goods without the added impost of dumping and countervailing duties.

We note that Orrcon state they have a threading machine however do not utilise this whereas this function is completed by Williams Mining (WM). This would appear to be in direct contradiction of WM submission as they outlined they manufacture the goods in their facilities. WM did not outline that the only process they undertake is a threading process and would this be considered a substantial process for ADC purposes?

Within our initial submission we have provided evidence that even if Orrcon do actually manufacture the goods to the Australian standards they are not willing to supply our client these products. The notification from Orrcon referred our client to WM and therefore the goods are not available to all industry participants at an even consistency as required by the legislation.

In the response to C3 in relation to the "terms and conditions of sale" Orrcon have not provided any evidence or even a submission on this matter. The response merely refers the ADC to a WM website and that's it. There is no correlation between question and answer and there is no evidence that the submission has responded to this query.

This is further evidence of the submission being delayed and not being truly warranted or supported within Orrcon. The submission is a last ditch attempt in response to our submission dated the 10th May.



I would like to again stress we do not want to undermine Orrcon nor their manufacturing. We are looking for an exemption to a highly specialised product which is only supplied by a small number of companies in Australia. This application is to provide an exemption to a product which is not manufactured in Australia and appears to be included in the dumping matters purely because it is of a type that is classified in this area of the Customs Tariff Act.

On behalf of our client we therefore request that the ADC disregard the submission and the claims within the submission as lodged by Orrcon.

Should you have any queries in relation to this application please do not hesitate to contact me,

Yours Sincerely,

Brett Greedy

Director of Operations.