



MINUTE PAPER

Meeting with Cockburn Cement Pty Ltd

Date: 12 November 2013

Location: Anti-Dumping Commission, 5th Floor, Customs House, Canberra

Present:

Cockburn Cement Pty Ltd

Drew Elsbury, Development Manager, Sales & Marketing, Cement & Lime Division, Adelaide Brighton Ltd

Roger D Simpson, International Trade Consultant, Roger D Simpson & Associates

Anti-Dumping Commission

Kim Farrant, National Manager, Policy & Assistance

Emma Hatcher, Director, Strategic Policy

Julian Stockwell, A/g Director, Operational Policy

Rory Carroll, Manager, Operational Policy

Record of Meeting

Prior to the meeting Cockburn Cement provided the Commission with submissions on 16 and 21 October 2013. Non-confidential versions are available on the public record. Cockburn Cement had indicated that they wanted to discuss matters raised in the submissions.

At the start of the meeting, Ms. Farrant indicated that the Commission would listen to Cockburn's concerns and that discussions should be limited to factual matters. The Commission would not offer comment on the merits of the case. It was agreed that a non-confidential version of this document would be placed on the public record.

Mr. Simpson stated that Cockburn Cement sought an early preliminary affirmative determination and imposition of provisional measures to prevent material injury occurring while the investigation continues.

Mr. Simpson claimed material injury was continuing and increasing and that Cockburn Cement was losing customers. Contract lengths for quicklime varied from one to six years, therefore the effect of lost contracts in 2010 were still being experienced by Cockburn Cement. Mr. Simpson cited Australian Bureau of Statistics trade data provided in earlier submissions that showed increased imports into Australia during 2013 coupled with lower export prices.

Mr. Simpson added that the investigation period should be altered to include the four-month period March to June 2010. This change was required to clarify the 'dumping status' of imports during this period. Failing this, the Commission should link the material injury suffered by Cockburn Cement in

PUBLIC RECORD

this period to the dumped imports. These requests were in line with findings by the Trade Measures Review Officer (TMRO) in the review of the first termination report TER 179.

In regard to injury to the Australian industry, Mr. Simpson said that Cockburn Cement had standing as the applicant in this case, and with half of Australian production, was representative of the Australian industry producing quicklime. As such any injury to Cockburn Cement could be regarded as injury to the Australian industry.

Mr. Elsbury stated that Cockburn Cement's Dongara plant (350km north of Perth WA) was the most affected by import competition. The plant supplies the non-alumina market, in particular the gold mining sector. There has been a recent downturn in gold mining industry activity and combined with unfair import competition, the future of the Dongara plant was in jeopardy.

Mr. Elsbury provided updated financial data (at Attachment 1) to show the impact of sales of imported Thai quicklime on Cockburn Cement's profit in 2012, 2013 and projected for 2014. The impact on profit was calculated by adding the effect of price reductions and the effect of lost sales.

A general discussion was held about the various outcome scenarios of the resumed investigation, i.e., termination of the investigation by the Commissioner or recommendations made to the Minister.

It was noted that 24 months had elapsed since the investigation commenced on 31 October 2011. It was also noted that interested parties, including the Thai government had made had made submissions on this matter. The 'currency of information' was also discussed. This matter had also been raised by the Thai government as the end of the investigation period (30 June 2011) was now 28 months ago.

Rory Carroll
Operational Policy

6 December 2013