



ADRP Conference Summary

2017/55 A4 Copy Paper exported from the Federative Republic of Brazil, the People's Republic of China, the Republic of Indonesia and the Kingdom of Thailand

Panel Member	Jaclyne Fisher
Review type	Review of Minister's decision
Date	18 December 2017
Participants	Justin Wickes (Director, ADC), David Peters (Assistant Director, ADC)
Time opened	11.00am AEST
Time closed	12.35 pm AEST

Purpose

The purpose of this conference was to obtain further information in relation to the application before the Anti-Dumping Review Panel (ADRP) in relation to A4 Copy Paper exported from Federative Republic of Brazil, the People's Republic of China, the Republic of Indonesia and the Kingdom of Thailand.

The conference was held pursuant to s 269ZZHA of the *Customs Act 1901*.

In the course of the conference, I asked the ADC to clarify an argument, claim or specific detail contained in its reinvestigation report. The conference was not a formal hearing of the review, and was not an opportunity for the ADC to argue its report before me.

I have only had regard to information provided at this conference as it relates to relevant information (within the meaning of section 269ZZK(6) of the *Customs Act 1901*. Any conclusions reached at this conference are based on that relevant information. Information that relates to some new argument not previously put in an application or submission is not something that the ADRP has regard to, and is therefore not reflected in this conference summary.



Discussion

The specific information that the ADRP sought in this conference related to the Anti-Dumping Commission's (ADC) reinvestigation report, in relation to the following applicants as follows:

Greenpoint/Asia Symbol

1. The Asia Symbol confidential domestic sales spreadsheet shows that all sales have a [confidential domestic sales information] whereas the analysis described by the ADC suggests that [confidential sales information]. Could the ADC clarify?

The ADC explained that the [confidential domestic sales information] across all sales in the information provided by Asia Symbol. This did not mean that [confidential domestic sales information]. Given some discounts and rebates were granted post invoice, it was not possible to determine [confidential domestic sales information]. Asia Symbol's financial records grouped these as expenses. For the purpose of dumping analysis, the [confidential domestic sales information]. Accordingly, it was not simply a matter of using the percentages outlined in the Discount Policy to assess applicable [confidential domestic sales information]. Some of the [confidential domestic sales information].

2. Could the ADC elaborate on its comments regarding certain discounts/rebates [confidential domestic sales information] not being available if the export sales had been made in China?

The ADC referred to the confidential domestic sales spreadsheet which outlined the [confidential domestic sales information]. It commented that these descriptions did not align with the descriptions in the confidential Discount Policy document provided to the Review Panel. It also questioned the language of discounts as compared with rebates. In addition, and as referred to in the confidential section of the reinvestigation report [confidential analysis of financial records]. The ADC considered this raised areas of inconsistency.

The ADC indicated that it had included all the domestic transactions considered 'like' the exported goods, noting that [confidential domestic sales information] were, in some cases, different but this did not mean they were not the like goods.



In the light of the information discussed above, I requested the ADC to re-calculate the normal value (and dumping margins) based on net domestic selling price with an upward adjustment utilising the quantity based discounts, but not the [REDACTED] [confidential domestic sales information] discounts.

Sinar Mas:

1. Could the ADC elaborate on the level of trade differences between the constructed normal value (notionally based on sales by CMI) for the Indah Kiat and Pindo Deli (Sinar Mas exporters) compared with the export sales and provide the evidence it relied on in relation to the sales made through both channels?

The ADC indicated that it did not consider there was a level of trade difference between the domestic and export sales channels. It considered that the only adjustment to reflect the price comparability differences related to the supermarket shelf rental. I requested the ADC to provide the additional information relating to the CMI sales channels as well as the export sales arrangements.

2. I asked the ADC to confirm the different amounts for SG&A in the confidential normal value spreadsheets for both exporters?

The ADC explained the basis of the different calculations for the exporters' SG&A and the CMI SG&A.

Fuji Xerox:

1. Could the ADC elaborate on its comments regarding evidence gaps referred to in the reinvestigation report in regard to the sales between UPM AP and Fuji Xerox?

The ADC suggested that Fuji Xerox could have provided updated financials demonstrating that the sales at a loss were being recovered, particularly in relation to the comments it had made in its submission of June 2016. The ADC also did not consider that the explanations of losses were validated by the evidence supplied to the ADC at the verification visit. It also found that the Fuji Xerox losses were understated. The ADC [REDACTED] [REDACTED] [confidential financial information]

The ADC was concerned as to why it was not given full access to UPM AP, particularly in light of the contradictory information as to the location of the staff and records of UPM AP.



UPM:

1. Could the ADC confirm that the UPM confidential DM spreadsheet provided which shows a DM of 4.02 percent is the valid calculation if Fuji Xerox's export price be assessed under S.269 TAB(1)(a)?

The ADC confirmed that this is correct.

2. Could the ADC provide the volumes of exports (and weighted average invoiced prices at FOB level) during 2015 by UPM by importer?

The ADC undertook to provide this information.

RAK/APEL:

1. Can the ADC please confirm that the adjustments in Table 11 (REP 341) related to export expenses are April's expenses and the domestic related adjustments are from RAK?

The ADC confirmed this information.

2. Could the ADC confirm that APRIL and RAK were two separate companies.

The ADC confirmed that they are two separate companies but are related.

Double A:

3. In the reinvestigation report under Double A, the currency exchange tables are shown as non-confidential, however at the earlier conference held with the ADC, the tables provided were supplied as confidential. Could the ADC confirm that the tables in the public version of the reinvestigation report are non-confidential.

The ADC confirmed that the earlier tables had been working documents and the tables in the reinvestigation report are considered non-confidential.



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I requested that the ADC provide the following information following the conference:

- Greenpoint/Asia Symbol - I requested the ADC to re-calculate the normal value (and dumping margins) based on net domestic selling price with a revised upward adjustment relating to discounts and rebates.

Confidential dumping margin spreadsheets with recalculations provided on 20 December.

- Sinar Mas - I requested the ADC to provide the evidence of the level of trade of sales on the domestic market by CMI and the export sales.

The ADC provided, on 20 December 2017, copies of the confidential exporter questionnaires, confidential distributor agreements, confidential export price spreadsheets (previously supplied) as well as analysis of the volumes sold to various levels of trade in Indonesia.

- UPM - Could the ADC provide the volumes of exports (and weighted average invoiced prices at FOB level) during 2015 by UPM by importer

ADC supplied the confidential spreadsheet 'UPM Export FOB price and volume' on 20 December 2017.