



**Australian Government**  
**Department of Industry,  
Innovation and Science**

*Customs Act 1901*

Notice under section 269ZZI

**Steel Reinforcing Bar Exported to Australia from Greece, the  
Republic of Indonesia, Spain (Nervacero S.A), Taiwan  
(Power Steel Co. Ltd) and the Kingdom of Thailand**

The Anti-Dumping Review Panel (“ADRP”) received two applications for review of the decision of the Assistant Minister for Science, Jobs and Innovation / Parliamentary Secretary to the Minister for Jobs and Innovation to publish a dumping duty notice in respect of Steel Reinforcing Bar exported from Greece, the Republic of Indonesia, Spain (Nervacero S.A), Taiwan (Power Steel Co. Ltd) and the Kingdom of Thailand (“the Reviewable Decision”).

Notice of the Reviewable Decision was published on the Anti-Dumping Commission (“ADC”) website on 7 March 2018 ([ADN 2018/10](#)).

The ADRP accepted applications for review from:

- Power Steel Co., Ltd (“Power Steel”); and
- Nervacero S.A. (“Nervacero”).

The ADRP is satisfied that the following grounds are reasonable grounds for the reviewable decision not being the correct or preferable decision:

**Power Steel**

1. The ADC erred in determining normal values using domestic sales which were not the most comparable like goods to the exported goods;
2. The ADC erred in determining normal values by excluding domestic sales of like goods; and
3. The ADC erred by not making necessary adjustments to normal values in accordance with subsection 269TAC(8) of the Act, to ensure proper comparison between normal values and corresponding export prices.

## **Nervacero**

1. Incorrect and unreasonable determination of material injury, in particular:
  - a. Lack of objective examination of the Australian industry's economic condition; and
  - b. Assumed injury for a significant portion of the Australian industry.
2. The evidence did not establish, and it was unreasonable to conclude, that material injury was caused by Nervacero's exports, in particular:
  - a. Assumed causative link between material injury and the dumping of goods under investigation;
  - b. Deficiencies in price undercutting analysis;
  - c. Deficiencies in cumulative and sectoral based analyses; and
  - d. Deficiencies in non-attribution analysis.
3. The method used to calculate the non-injurious price was incorrect
4. Errors in the determination of dumping margin, in particular:
  - a. Incorrect determination of the date of sale for the both the domestic and export sales;
  - b. Determination not to grant financial expenses based adjustment; and
  - c. Determination not to grant adjustment for physical differences.

The goods to which these applications relate are:

*Hot-rolled deformed steel reinforcing bar whether or not in coil form, commonly identified as rebar or debar, in various diameters up to and including 50 millimetres, containing indentations, ribs, grooves or other deformations produced during the rolling process.*

*The goods include all steel reinforcing bar meeting the above description of the goods regardless of the particular grade or alloy content or coating.*

*Goods excluded are plain round bar, stainless steel and reinforcing mesh.*

Copies of the applications for review, which set out the grounds for seeking review in full, and other documents are available on the public record of the review at [www.adreviewpanel.gov.au](http://www.adreviewpanel.gov.au)

The reports of the original investigation are available on the ADC website at [www.adcommission.gov.au](http://www.adcommission.gov.au)

## **Submissions**

Interested parties have 30 days from the date this notice is published to provide the Review Panel with a submission. If your submission contains confidential information you must provide a public version that can be published on the ADRP website. Failure to do so will result in your submission not being considered.

You may either email your submission to [adrp@industry.gov.au](mailto:adrp@industry.gov.au) or mail it to –  
Anti-Dumping Review Panel Secretariat  
GPO Box 2013  
Canberra City ACT 2601

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781.

Leora Blumberg  
Panel Member  
Anti-Dumping Review Panel  
27 April 2018