

NON-CONFIDENTIAL VERSION
REVIEWABLE DECISION ADN No 2019/126



Australian Government
Anti-Dumping Review Panel

Application for review of a Ministerial decision

Customs Act 1901 s 269ZZE

This is the approved¹ form for applications made to the Anti-Dumping Review Panel (ADRP) on or after 20 May 2019 for a review of a reviewable decision of the Minister (or his or her Parliamentary Secretary).

Any interested party² may lodge an application for review to the ADRP of a review of a Ministerial decision.

All sections of the application form must be completed unless otherwise expressly stated in this form.

Time

Applications must be made within 30 days after public notice of the reviewable decision is first published.

Conferences

The ADRP may request that you or your representative attend a conference for the purpose of obtaining further information in relation to your application or the review. The conference may be requested any time after the ADRP receives the application for review. Failure to attend this conference without reasonable excuse may lead to your application being rejected. See the ADRP website for more information.

Further application information

You or your representative may be asked by the Member to provide further information in relation to your answers provided to questions 9, 10, 11 and/or 12 of this application form (s269ZZG(1)). See the ADRP website for more information.

Withdrawal

¹ By the Senior Member of the Anti-Dumping Review Panel under section 269ZY *Customs Act 1901*.

² As defined in section 269ZX *Customs Act 1901*.

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You may withdraw your application at any time, by completing the withdrawal form on the ADRP website.

Contact

If you have any questions about what is required in an application refer to the ADRP website. You can also call the ADRP Secretariat on (02) 6276 1781 or email adrp@industry.gov.au.

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PART A: APPLICANT INFORMATION

1. Applicant's details

Applicant's name: Siam Yamato Steel Co. Ltd.(SYS)
Address: 1 Siam Cement Road, Bangsue Bangkok, 10800, Thailand.
Type of entity (trade union, corporation, government etc.): CORPORATION

2. Contact person for applicant

Full name:
Position: Authorised representative
Email address
Telephone number:

3. Set out the basis on which the applicant considers it is an interested party:

<p>Siam Yamato Steel Co.Ltd is the Producer and Exporter to Australia of the Goods subject to the Ministers decision published on the 11th November 2019 in relation to recommendations to the Minister by the Anti-Dumping Commission final report on Case No 505 (Continuation of Measures).</p>

4. Is the applicant represented?

Yes ☒ No ☐

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If the application is being submitted by someone other than the applicant, please complete the attached representative's authority section at the end of this form.

****It is the applicant's responsibility to notify the ADRP Secretariat if the nominated representative changes or if the applicant become self-represented during a review.****

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PART B: REVIEWABLE DECISION TO WHICH THIS APPLICATION RELATES

5. Indicate the section(s) of the *Customs Act 1901* the reviewable decision was made under:

☐ Subsection 269TG(1) or (2) –
decision of the Minister to publish a
dumping duty notice

☐ Subsection 269TH(1) or (2) –
decision of the Minister to publish a
third country dumping duty notice

☐ Subsection 269TJ(1) or (2) –
decision of the Minister to publish a
countervailing duty notice

☐ Subsection 269TK(1) or (2)
decision of the Minister to publish a
third country countervailing duty
notice

☐ Subsection 269TL(1) – decision of the
Minister not to publish duty notice

☐ Subsection 269ZDB(1) – decision of the
Minister following a review of anti-dumping
measures

☐ Subsection 269ZDBH(1) – decision of the
Minister following an anti-circumvention
enquiry

☒ Subsection 269ZHG(1) – decision of the
Minister in relation to the continuation of anti-
dumping measures

6. Provide a full description of the goods which were the subject of the reviewable decision:

The Goods are: Hot Rolled Structural Steel Sections in the following shapes and sizes, whether or not containing alloys:

- **Universal beams (I sections), of a height greater than 130mm and less than 650mm;**
- **Universal columns and universal bearing piles(H Sections) , of a height greater than 130mm and less than 650mm**
- **Channels (U sections and C sections) of a height greater than 130mm and less than 400mm; and**
- **Equal and Unequal Angles (L sections) with a combined leg length of greater than 200mm.**

Sections and/or shapes in the dimensions described above, that have minimal processing , such as cutting, drilling or painting do not exclude the goods from coverage of the investigation.

Excluded Goods:

The measures do not apply to the following goods:

- **Hot rolled 'T' shaped sections, sheet pile sections and hot rolled merchant bar shaped sections , such as rounds, squares, flats, hexagons, sleepers and rails; and**
- **Sections manufactured from welded plate(e.g. welded beams and welded columns)**

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7. Provide the tariff classifications/statistical codes of the imported goods:

Goods identified as hot rolled non-alloy steel sections, as per the shapes and sizes described above (6) , are classified to the following tariff subheadings in schedule 3 to the Customs Tariff Act 1995:

- 7216.31.00 statistical code 30 (channels-U and C sections);
- 7216 32.00 statistical code 31 (universal beams-I sections)
- 7216.33.00 statistical code 32 (universal column and universal bearing piles-H sections) and;
- 7216.40.00 statistical code 33 (equal and unequal angles-L sections)

Goods identified as hot rolled alloy steel sections, as per the shapes and sizes described above, are classified to tariff subheading 7228.70.00(statistical codes 11 and 12) in schedule 3 of the Customs Tariff Act 1995.

The commission also introduced a Model Control Code (MCC)structure for identifying identical and like goods sold on the domestic market with those exported to Australia.The MCC Structure for the goods under consideration in this Reviewable decision of a Continuation of measures was published as Appendix 1 to ANTI-DUMPING NOTICE No 2019/02.Confidential Attachment ‘A’ provides details of that MCC structure.

8. Anti-Dumping Notice details:

Anti-Dumping Notice (ADN) number:

For the Continuation of Measures on these goods, the Anti-Dumping Notice number is No 2019/126 ;

Date ADN was published: ADN number, 2019/126 was published on the 11th November 2019 and copy is attached.

****Attach a copy of the notice of the reviewable decision (as published on the Anti-Dumping Commission’s website) to the application****

PART C: GROUNDS FOR THE APPLICATION

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If this application contains confidential or commercially sensitive information, the applicant must provide a non-confidential version of the application that contains sufficient detail to give other interested parties a clear and reasonable understanding of the information being put forward.

Confidential or commercially sensitive information must be marked '**CONFIDENTIAL**' (bold, capitals, red font) at the top of each page. Non-confidential versions should be marked '**NON-CONFIDENTIAL**' (bold, capitals, black font) at the top of each page.

- Personal information contained in a non-confidential application will be published unless otherwise redacted by the applicant/applicant's representative.

For lengthy submissions, responses to this part may be provided in a separate document attached to the application. Please check this box if you have done so: ☒

9. Set out the grounds on which the applicant believes that the reviewable decision is not the correct or preferable decision:

GROUND No 1:

Siam Yamato Steel Co.Ltd.,(SYS) contends that the Reviewable Decision published on ADN No 2019/126 was not the correct or preferable decision and should be revoked in respect to the exporter SYS because the Commissioner 's recommendation of a continuation of measures on the exporter SYS in the form of a combination of measures was based on the Commission's determination of a normal value for the exporter SYS which SYS contends failed to properly determine the appropriate Normal Value based on verified data for reasons detailed in Confidential Attachment 'B' ,a summary of which follows :-

- (i) the Commission failed to base normal value on relevant quarterly domestic sales of identical goods and absent relevant identical domestic sales, on the most directly comparable quarterly domestic sales to the goods exported to Australia in accordance with s 269T of the ACT which defines 'like goods', Confidential Attachment 'C' refers, and,*
- (ii) whilst the Commission determined the normal value for SYS in accordance with s269TAC (1) of the ACT, and correctly accepted the need to adjust normal value to reflect domestic credit costs in accordance with s269TAC (8),the Commission wrongly considered a hypothetical rate of domestic credit of ■ % {RATE }was more appropriate than than the actual effective rate of ■ % p.a.;{RATE} and,*
- (iii) with respect to certain quarterly domestic sales of the most directly comparable goods that on a total weighted average nett selling price when compared to the total weighted average cost to make and sell were profitable, it was open to the Commission to properly consider if those actual salea at a loss were in fact recoverable within a reasonable period of time in accordance with s269TAAD (3)*

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GROUND No 2

If the Commission had determined the appropriate normal value for SYS in accordance with the Grounds outlined on Confidential Attachment 'B', the determined dumping duty rate would have been less than 2% and thus the Commission would have recommended the Minister impose the Continuation of measures on future exports of the relevant goods by SYS by means of ONLY the Floor price method rather than the combination method of both a Floor Price and an advalorem rate of interim dumping duty.

10. Identify what, in the applicant's opinion, the correct or preferable decision (or decisions) ought to be, resulting from the grounds raised in response to question 9:

The correct or preferable decision ought to be:

- **The Minister revokes the decision BASED on Report No 505 in relation to SYS that pursuant to subsection 8(5) of the Dumping Duty Act that:-**
 - The interim dumping duty payable in respect of the goods exported to Australia by SYS is an amount which will be worked out in accordance with the variable duty method by means of a floor price pursuant to subsections 5 (2) and 5 (3) (a) of the Dumping Duty Regulations on the basis that the 5% fixed ad-valorem rate should be adjusted downwards effective from the 11th November 2019;

11. Set out how the grounds raised in question 9 support the making of the proposed correct or preferable decision:

The grounds raised in Question 9 support the making of the proposed correct or preferable decision by reason of:

- In recommending the Minister make this Reviewable Decision published on ADN No 2019/216 in respect of SYS, the Commission had regard to other matters considered relevant to the Continuation of measures on SYS future exports, namely the variable factors established for SYS in Reviewable Decision published on ADN No 2019/215 the details of which are provided on Confidential Attachment 'B' and which SYS contends are not in accordance with the relevant legislation.

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- SYS contends that the grounds outlined on Confidential Attachment 'B' for a reduction of the interim dumping duty rate determined by the Commission would have resulted in the Commission recommending the Minister impose only a variable duty method in the Reviewable Decision made under subsection 269ZHG (1) and which was published on ADN No 2019/126 dated 11th November 2019.

12. Set out the reasons why the proposed decision provided in response to question 10 is materially different from the reviewable decision:

As outlined in Section 10, the proposed decision to secure the continuation of anti-dumping measures is materially different in terms of the forms of interim dumping duty recommended by the Commission in respect to goods exported to Australia by SYS and which forms of measures were accepted by the Minister, namely that only a variable form of interim dumping duty by way of a floor price would apply to SYS exports and not the combination method of both a floor price and an advalorem rate of interim dumping duty.

Do not answer question 11 if this application is in relation to a reviewable decision made under subsection 269TL(1) of the Customs Act 1901.

13. Please list all attachments provided in support of this application:

- Anti-Dumping Notice No 2019/126-The Reviewable Decision.
- Anti-Dumping Notice No 2019/02-detailing MCC structure for ADN No 2019/125.
- Confidential Attachment 'A':-Details of the MCC structure of ADN No 2019/02.
- Non-Confidential Version of Attachment 'A'-Details of the MCC structure ADN No 2019/02.
- Anti-Dumping Notice No 2019/125 detailing decision on review of measures relevant to Confidential Attachment 'B'.
- Confidential Attachment 'B' :-Details of grounds relating to Reviewable decision of ADN No 2019/125.
- Non-Confidential Version of Attachment 'B':-Details of grounds relating to Reviewable decision of ADN No 2019/125.
- Confidential Attachment 'C':- Details of the quarterly domestic sales of identical goods exported to Australia -reviewable decision ADN No 2019/125.
- Non -Confidential Version Attachment 'C' :-Details of the quarterly domestic sales of identical goods exported to Australia -reviewable decision ADN No 2019/125.
- Separate Authority to represent.

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Signed copy attached

PART D: DECLARATION

The applicant/the applicant's authorised representative *[delete inapplicable]* declares that:

- The applicant understands that the Panel may hold conferences in relation to this application, either before or during the conduct of a review. The applicant understands that if the Panel decides to hold a conference *before* it gives public notice of its intention to conduct a review, and the applicant (or the applicant's representative) does not attend the conference without reasonable excuse, this application may be rejected; and
- The information and documents provided in this application are true and correct. The applicant understands that providing false or misleading information or documents to the ADRP is an offence under the *Customs Act 1901* and *Criminal Code Act 1995*.

Signature: ATTACHED

Name:

Position:

Organisation:

Date: / /

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PART E: AUTHORISED REPRESENTATIVE

This section must only be completed if you answered yes to question 4.

Provide details of the applicant's authorised representative:

Full name of representative
Organisation:
Address:
Email:
Telephone number

Representative's authority to act

****A separate letter of authority may be attached in lieu of the applicant signing this section****

Letter of Authority being provided.

The person named above is authorised to act as the applicant's representative in relation to this application and any review that may be conducted as a result of this application.

Signature:

(Applicant's authorised officer)

Name:

Position: Marketing Division Manager

Organisation: Siam Yamato Steel Company Limited.

Date: 3/12 /2019.



ANTI-DUMPING NOTICE NO. 2019/126

Customs Act 1901 – Part XVB

Hot rolled structural steel sections

**Exported to Australia from Japan, the Republic of Korea,
Taiwan (except for exports by Feng Hsin Steel Co Ltd) and the
Kingdom of Thailand**

Findings in relation to Continuation Inquiry 505

Notice under subsection 269ZHG(1) of the Customs Act 1901

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed an inquiry, which commenced on 11 February 2019, into whether the continuation of the anti-dumping measures in the form of a dumping duty notice applying to certain hot rolled structural steel sections (HRS or 'the goods') exported to Australia from Japan, the Republic of Korea (Korea), Taiwan (except for exports by Feng Hsin Steel Co Ltd (Feng Hsin)) and the Kingdom of Thailand (Thailand) is justified.

Recommendations resulting from that inquiry, reasons for the recommendations and material findings of fact and law in relation to the inquiry are contained in *Anti-Dumping Commission Report No. 505* (REP 505).

I, KAREN ANDREWS, the Minister for Industry, Science and Technology, have considered REP 505 and have decided to accept the recommendations and reasons for the recommendations, including all the material findings of facts and law therein.

Under subsection 269ZHG(1)(b) of the *Customs Act 1901* (the Act), I declare that I have decided to secure the continuation of the anti-dumping measures currently applying to the goods exported to Australia from Japan, Korea, Taiwan (except for exports by Feng Hsin and Tung Ho Steel Enterprise Corporation) and Thailand.

Under subsection 269ZHG(1)(a) of the Act, I declare that I have decided not to secure the continuation of the anti-dumping measures currently applying to the goods exported to Australia from Taiwan by Tung Ho Steel Enterprise Corporation.

In accordance with subsection 269ZHG(4)(a)(ii), I determine that the dumping duty notice in respect of the goods continues in force after 20 November 2019, but that after that day the notice cease to apply to Tung Ho Steel Enterprise Corporation of Taiwan.


Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel (www.adreviewpanel.gov.au), in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

REP 505 has been placed on the Commission's public record. The public record may be examined at www.adcommission.gov.au. Alternatively, the public record may be examined

at the Commission's office during business hours by contacting the case manager on the details provided below.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2428 or investigations2@adcommission.gov.au.

Dated this 8 day of November 2019



KAREN ANDREWS
Minister for Industry, Science and Technology

Non -CONFIDENTIAL version of ATTACHMENT ‘A’-Reviewable Decision published ADN No 2019/126

EXTRACTs from APPENDIX -1, ANTI-DUMPING NOTICE No 2019-02

Proposed Model Control Code Structure.

ITEM	Category	Sub-Category	Identifier	Sales Data	Cost Data	Key Category
1	PRIME	PRIME	P	Mandatory	N/A	YES
		NON-PRIME	N			
2	SHAPE	Universal beams (I sections)	I	Mandatory	Mandatory	YES
		Universal columns & Universal Bearing Piles (‘H’ sections)	H			
		Channels (‘U’ or ‘C’ sections)	C			
		Angles (Equal and Unequal Angle sections)	A			
3	Minium Yield Strength	Less than 265MPa	A	Mandatory	Mandatory	YES
		Greater than or equal to 265MPa	B			

Note:

1. SYS exported identical goods identified as [REDACTED] and [REDACTED] in quarters [REDACTED] of the I.P.
2. SYS exported most directly comparable goods identified as [REDACTED], and [REDACTED] in quarters [REDACTED] of the I.P.
3. [REDACTED] and [REDACTED] identified as having a minimum MPa of less than 265MPa based on the Thai Standard specification.
4. Re the [REDACTED] ‘model’ , SYS originally proposed that the MPa should be determined on the actual MPa as evidenced on Mill Test Certificates that accompany every transaction.
5. Ground No 4 relates to the [REDACTED] model exported during the [REDACTED]

NON -CONFIDENTIAL ATTACHMENT 'B'
REVIEWABLE DECISION VIDE ADN No 2019/126
SIAM YAMATO STEEL CO. LTD.

GROUND S for APPEAL:

SECTION 9:

GROUND No 1:

Siam Yamato Steel Co.Ltd.,(SYS) contends that the Reviewable Decision published on ADN No 2019/126 was not the correct or preferable decision and should be revoked because the Commissioner 's recommendation had regard to other matters he considered relevant , namely the variable factors established for the determination of normal value for the verified exporter SYS which SYS contends the Commission failed to properly determine from relevant quarterly domestic sales of identical goods exported to Australia in accordance with s 269T.

s269T of the 'ACT' defines 'like goods' –

' like goods, in relation to goods under consideration , means goods that are identical in all respects to the goods under consideration or, although not alike in all respects to the goods under consideration have characteristics closely resembling those goods under consideration'.

In the Commission's 'Manual' , Section 2 on Like Goods, the clear inference is that if the goods are found to be identical , it is not necessary to further consider other factors in determining the question of like goods.

SYS contends that where there are relevant domestic sales of identical goods then the normal value needs to be determined on those identical goods provided they satisfy the sufficiency and OCOT tests.

Absent those sales, then the Commission needs to determine normal value on the relevant domestic sales of the most directly comparable goods to the exported goods.

Normal Value methodology:

The Commission's recommendation on the continuation of measures for SYS was based on the normal value determined for SYS in accordance with s269TAC (1) ACT.

The normal policy and practice is for the Commission to calculate the total normal value for the investigation period by using the quarterly weighted average unit normal value multiplied by the corresponding quarterly export volumes, and ;

for the Commission to compare the quarterly weighted average of export prices over the whole of the review period with the quarterly weighted average of corresponding normal values over the whole of the investigation period in accordance with s269TACB (2) (a) of the 'ACT'

NON -CONFIDENTIAL ATTACHMENT 'B'

The Commission's Manual at section 7.3, PRACTICE re the MCC structure states 'inter alia'

'Model matching criteria will be followed in order to identify identical goods sold on the exporter's domestic market ,or absent identical goods which goods most closely resemble the goods under consideration'.

Confidential Attachment 'C' details that SYS had sufficient domestic sales of identical goods in the OCOT in the first two quarters of the whole of the investigation period, namely quarters ended in the March and June quarters of year 2018.

Those identical goods sales should have been used to determine the normal value for those first two quarters and SYS rejects the Commission's stance that the identical sales needed to be acceptable sales for every quarter of the investigation period.

GROUND No 2 : Adjustments for Domestic Credit:

The Commission determined normal values for SYS in accordance with s269TAC(1).

s269TAC(1) requires that normal value is the price paid or payable in arms length domestic sales transactions.

To ensure a fair comparison of normal values with export prices the Commission correctly accepted the need to adjust normal value to reflect domestic credit costs in accordance with s269TAC (8).

The Commission however has applied a figure of ■ % (RATE) on the basis that it is considered to be more appropriate than the actual effective ■ % (RATE)per annum credit charge since it is closer to independent interest rates on bank loans etc.

Also,SYS strongly disputes the Commission's comment in the final report that ' *the Commission did not find that the actual credit costs as claimed by SYS were incurred*'.

Given this comment by the Commission was only conveyed at the time of the Minister's decision being published with ADN No 2019/125, SYS has had no opportunity to respond to what is considered an incorrect 'finding'.

On the basis that the ■ % (RATE) can be further verified ,SYS contends that there is no legal basis to ignore the true, factual domestic price mechanism and instead impose some hypothetical pricing that adversely affects the normal value calculation and thus the determined dumping margin.

Ground No 3: Export Credit charges:

Firstly, SYS acknowledges that this ground does not materially impact on the current dumping duty margin but it is included for seeking clarification in the event there is a duty assessment application lodged or when a further review of measures occurs.

NON-CONFIDENTIAL ATTACHMENT 'B'

The situation is that the Commission evidenced that for every export transaction in the [REDACTED] (PERIOD) of the I.P., there were ZERO payment terms.

SYS simply do not factor in any export credit expense in their Export price which is the price payable by the importer in accordance with s269 TAB (1) (a).

For the last transaction on the [REDACTED] (EXPORT DATE) being in the last quarter of the I.P., the importer, because of the seasonal factors in Australia, pre-paid an amount prior to the export date of [REDACTED] (EXPORT DATE), and paid the balance due some [REDACTED] (NUMBER) days later. That payment of the balance was treated as an export credit expense by the Commission.

On the basis that SYS evidenced that with the exception of only one transaction, there was never an export credit situation and given that SYS do not factor in such an expense in the export price, this adjustment to normal value should be removed.

Ground No 4: Ordinary course of trade:

This relates to the domestic sales of certain like goods-not being identical goods- and identified as being MCC P-C-A [REDACTED] { GRADE, SHAPE, YIELD DETAILS} that were obviously sold at a nett loss and as such were not considered by the Commission in the determination of normal value in accordance with subsections 269TAAD(1)(a), (b), (2) and (3).

As indicated, the like goods in question are small sized' [REDACTED] (SHAPE)' produced to specification [REDACTED] (GRADE) and only comprising one size, namely [REDACTED] mm (SIZE) and which on the basis of the Commission's MCC structure of Appendix 1 to ADN No 2019-02 are identified as being P.-C-A .in terms of Items 1, 2, 3 for mandatory sales data.

SYS contends however that whilst the Commission has treated those sales strictly in accordance with the legislation, it would have been open to the Commission to give more consideration as to whether those sales could have been recoverable in a reasonable period of time and thus could have been included in the determination of normal value for those most comparable like goods in the [REDACTED] (PERIOD OF I.P.).

Whilst acknowledging the Commission has applied the relevant legislation on a WAV 'model' only basis, given the remaining domestic sales identified as MCC -P.-C.A. were, contrary to the [REDACTED] mm size,(SIZE OF SHAPES) very profitable and when both the profitable and non-profitable sales are treated as 'one', the result is for the [REDACTED] (PERIOD OF I.P.) in question, the sales were profitable.

It can be demonstrated that all of the domestic sales identified as being P-C-A, when treated as a 'whole' returned calculated nett profits of [REDACTED] % (RATE) and [REDACTED] % (RATE) for the [REDACTED] (PERIOD OF I.P) respectively.

Note: I.P. means Investigation Period.

NON-CONFIDENTIAL ATTACHMENT 'B'

This suggests that if the WAV domestic selling price of the goods comprising that 'model' was compared to the WAV cost to make and sell of the goods over the period, the excluded sales at a loss could have been considered recoverable within a reasonable period of time given that the sales in question are all of the same grade and shape, although the excluded sales have a lower CTM than the included sales. s269TAAD (3) is considered to be relevant.

The Commission did find that in regard to all of SYS relevant domestic sales [REDACTED] % (RATE) were profitable, the exception being those excluded sales as described above and SYS is contending that s269TAAD (3) is relevant.

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Attachment 'C' - Siam Yamato Steel Co. Ltd. -ADRP application

ADC Case No 505 on Hot Rolled Structural Steel Sections ex Thailand

Anti-Dumping Notice No 2019/126 of 11th November 2019 refers.

Line #	Relevant Sales Exports Or Domestic	Goods Shape Type Sub Category Item 2 MCC Structure	ADC 's MCC – Mandatory 'model Identifier' Structure Appendix 1 ADN No 2019/02	Specification And Grade Grade 300	Tonnes March Qtr	Tonnes June Qtr	Tonnes Sept Qtr	Tonnes Dec Qtr	Total Tonnes I.P.	Notes
1	Exports									
2	Domestic									
3	Domestic									
4	Total									
5	Exports									
6	Domestic									
7										
8										

For the [REDACTED] of the Investigation Period (I.P) Siam Yamato Steel had sufficient domestic sales of Identical goods exported to Australia in terms of the Commission's MCC structure and in regards to both 'Shape' and Steel Specification /Grade.

1. The Australian market 'specifiers' and 'users' demand the GUC to be compliant with the AS/NZS 3679-1-300 specification and Grade 300 MPa.
2. For Normal Value purposes ,the Commission only needed to base Quarterly Costs and sales data for the [REDACTED] on what were essentially identical domestic sales to that exported and which exceeded the 5% sufficiency test and which were determined to be profitable (OCOT) sales. For [REDACTED] of the I.P., the Commission needed to determine quarterly NV's on the most directly comparable domestic sales which are detailed on Confidential Attachment 'A'.