



ADRP Conference Summary

Review No. 127- Steel Reinforcing Bar exported from the Kingdom of Thailand

Panel Member	Jaclyne Fisher
Review type	Review of Minister's decision
Date	8 October 2020
Participants	Justin Wickes – Anti-Dumping Commission Trent Macri – Anti-Dumping Commission
Time opened	2:00 pm AEDT
Time closed	2:45 pm AEDT

Purpose

The purpose of this conference was to obtain further information in relation to the review before the Anti-Dumping Review Panel (Review Panel) in relation to steel reinforcing bar (Rebar) exported from the Kingdom of Thailand (Thailand) by Millcon Steel Public Company Limited (Millcon).

The conference was held pursuant to section 269ZZHA of the *Customs Act 1901* (the Act).

In the course of the conference, I was able to ask parties to clarify any argument, claim or specific detail contained in their application or submission. The conference was not a formal hearing of the review and, was not an opportunity for parties to argue their case before me.

I have only had regard to information provided at this conference to the extent that it relates to relevant information within the meaning of section 269ZZK of the Act. 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 Review Panel may have regard to and, therefore, is not reflected in this conference summary.

At the time of the conference, I advised the participants:

- That the conference was being recorded and transcribed by Express Virtual Meetings Pty Ltd, and that the recording would capture everything said during the conference.
- That the conference was being recorded for the Review Panel to have regard to when preparing a conference summary. The conference summary would then be published on the Review Panel's website.



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- Any confidential information discussed during the conference would be redacted from the conference summary prior to publication.

Prior to the conference, participants were provided with a copy of the Review Panel's Privacy Statement. The Privacy Statement outlines who the conference recording and transcript may be disclosed to. The Privacy Statement is available on the Review Panel's website [here](#). The participants indicated that they understood the Privacy Statement and consented to:

- The recording of the conference; and
- The recording being dealt with as set out in the Privacy Statement.

Discussion

The specific information that the Review Panel sought in this conference was:

1. The ADC provided the Review Panel with details of the volumes of exports from all sources from the Original Investigation Period through to the Period of Review as a result of the last conference. REP 518 provides this detail at a total level rather than segmented. Was there any consideration given by the ADC to the changing patterns of trade relating to the source countries between these two periods?

The ADC advised that it had undertaken this analysis based on Thailand compared with all other export sources and had followed the approach adopted by the ADC in earlier investigations. It also noted that it considered demand remained strong for imported rebar during the period of review.

2. The applicant, Millcon, proposes that additional analysis should have been undertaken of the factors outside its control, including the volumes and pricing of other sources (specifically Turkey), on its ability to export to Australia at competitive and non-dumped prices. Did the ADC undertake any analysis of the impact on prices of other export sources? Were prices of other exporters considered to be a factor outside the control of Millcon?

The ADC advised that it had examined Millon's claims that un-dumped imports from Turkey had replaced Thai imports and found these unsubstantiated.



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The Review Panel noted Millcon's submission following the SEF refers to the fact that there were other sources not only Turkey and stated 'encouraging its previous import customers to seek alternative supply of imports from those un-dumped sources'. Accordingly, was additional analysis undertaken of whether alternate sources became suppliers and if so the prices applicable in those transactions.

The ADC advised that it had not considered the pricing of other sources in any level of detail in the "factors outside the control of the exporter" section of the report. It did not necessarily look at pricing more broadly, but rather the expected increase in Millcon's prices due to the imposition of a dumping duty, which it considered to not be a factor outside Millcon's control. It indicated that other exporters' prices would not necessarily be within Millcon's control.

The Review Panel also noted that Millcon had referred to the increasing costs of production based on the increasing cost of steel billet in its application for a review of measures as a reason for the increasing prices.

3. The ADC refers to prices from BBV and Millcon but indicated that due to issues regarding reliability it had not had regard to BBV prices in REP 518. Could the ADC confirm whether there were [REDACTED]? (Confidential price and sales information)

The ADC confirmed that the [REDACTED] of rebar. (Confidential price and sales information)

4. REP 518 indicates that importer questionnaires were sent to all known importers', but a verification visit was undertaken with only one importer. Could the ADC whether price information was obtained from other importers.

The ADC advised that responses were received from other importers', but this information was not verified.

5. Could the ADC advise of the confidential export price calculations relating to the [REDACTED]. (Confidential export price calculation information)

The ADC advised that it would need to undertake this analysis and submit this information following the conference.



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

- Revised confidential calculations.

The ADC provided confidential spreadsheets on 12 October 2020.