



**Australian Government**  
**Anti-Dumping Review Panel**

*Customs Act 1901*

Notice under section 269ZZI

**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**

The Anti-Dumping Review Panel (Review Panel) received applications seeking a review of a decision by the Minister for Industry, Energy and Emissions Reduction under section 269ZHG(1)(b) of the *Customs Act 1901* to secure the continuation of anti-dumping measures:

- in the form of a dumping duty notice applying to A4 copy paper exported to Australia from the Federative Republic of Brazil, the People's Republic of China (China), the Republic of Indonesia and the Kingdom of Thailand; and
- in the form of a countervailing duty notice applying to A4 copy paper exported to Australia from China (the Reviewable Decision(s)).

Applications were received from:

- Sylvamo do Brasil Ltda.
- APRIL Far East (Malaysia) Sdn.Bhd and PT Riau Andalan Kertas, collectively known as (APRIL); and
- UPM Asia Pacific Pte Ltd.

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 31 March 2022 (ADN 2022/023).

The Review Panel is satisfied that the following grounds are reasonable grounds for the Reviewable Decision not being the correct or preferable decision:

APRIL

1. That the Commissioner erred in his recommendation to the Minister to continue the anti-dumping measures applying to A4 copy paper exported to Australia from Indonesia by APRIL, and all other exporters, as there is no or insufficient evidence that the expiry of the measures would lead to a continuation or recurrence of material injury caused by dumping of future exports by April and/or or other exporters.
2. The Commissioner erred in the recommendations to the Minister with respect to the determination of variable factors: the export price determined has no nexus with the importation and introduction into the commerce of Australia of A4 copy paper; the normal value did not accurately reflect the domestic selling price of A4 copy paper by RAK; and the Commissioner ought to have determined the non-injurious price to have been RAK's normal value or the landed duty inclusive price of RAK's exports as determined by the Commissioner, whichever is the lesser.

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### Sylvamo de Brasil Ltda

1. The Commissioner's report (REP 588), accepted by the Minister, overlooked or downplayed critical factors demonstrating that exports from Brazil continue to represent a minuscule fraction of the total Australian market, and that this negligible volume, through its limited distribution channel, is primarily focused on products with unique characteristics, that do not and would not, contribute to material injury suffered by the Australian industry.

### UPM Asia Pacific Pte Ltd

1. The Commissioner's findings, accepted by the Minister, regarding the application of the statutory test fails to establish that in the event of the expiry of anti-dumping measures UPM's exports of the subject goods are more likely than not to continue or recur and are more likely than not to be at dumped prices causing material injury to the local industry.

The Review Panel proposes to conduct a review of the Reviewable Decision in relation to the above grounds.

The goods to which these applications relate are:

*Uncoated white paper of a type used for writing, printing or other graphic purposes, in the nominal basis weight range of 70 to 100 gms [grams per square metre] to cut to sheets of metric size A4 (210mm x 297mm) (also commonly referred to as cut sheet paper, copy paper, office paper or laser paper).*

### Submissions

Interested parties have **30 days** from the date on which this notice is published to provide the Review Panel with a submission. Your submission should indicate your eligibility to make a submission as either an interested party to the Reviewable Decision or as one of the specified entities under section 269ZZJ of the Act.

If your submission contains confidential information, you must provide a public version that can be published on the Review Panel 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 the submission 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. 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)

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

Paul O'Connor  
Panel Member  
Anti-Dumping Review Panel  
26 May 2022

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