



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Quenched and Tempered Steel Plate exported from Finland, Japan and Sweden

The Anti-Dumping Review Panel received applications from Bisalloy Steel Group Ltd, Nippon Steel and Sumitomo Metal Corporation, JFE Steel Corporation, Kobe Steel, Ltd and Total Steel of Australia Pty Ltd for a review of a decision by the Parliamentary Secretary to publish a dumping duty notice in respect of Quenched and Tempered Steel Plate imported from Finland, Japan and Sweden.

The grounds raised by the applications for the decision under review not being the correct or preferable decision include but are not limited to:

- The form of the anti-dumping measures applicable to exports from Finland and Japan that have been applied on the basis of the *ad valorem* method;
- The effective rate of the measures applied to exports from Finland and Sweden;
- Errors in the consideration of material injury;
- Misapplication of s. 269TAE of the Customs Act;
- Failure to properly establish the requisite causal link between injury to the Australian industry and the presence of allegedly dumped goods in the Australian market;
- Flawed description/classification of goods under consideration;
- Failure to adequately address differences in products and markets;
- Failed to calculate the normal value (JFE Steel) in accordance with the Customs Act;
- The decision erred in the calculation of the export price;
- Errors in the finding of material injury to the Australian Industry;
- Failure to determine a non-injurious price;
- The decision erred in determining dumping duty on an ex-works basis; and
- The decision erred in identifying an Australian industry producing like goods.

The Parliamentary Secretary's decision was published in the Australian newspaper on 5 November 2014.

The goods to which these applications relate are classified to tariff subheadings 7225.40.00 (statistical codes 21, 22, 23 and 24) and 7225.99.00 (statistical codes 39 and 44) in Schedule 3 of the *Customs Tariff Act 1995*.

The Anti-Dumping Review Panel proposes to conduct a review of the decision. Interested parties may make submissions to the Panel within **30 days** after the date of publication of this notice.

Submissions may be emailed to ADRP_support@customs.gov.au, or sent by facsimile to (02) 6264 1503. Submissions may also be posted to the Anti-Dumping Review Panel, c/o Practice Management Support Section, Legal Division, Immigration and Border Protection Portfolio, 6 Chan Street Belconnen ACT 2617. Persons wishing to make further inquiries about this review should telephone (02) 6264 2445. Copies of the applications for review, which set out

the full grounds for seeking review, and other documents on the public file of the review, are available from www.adreviewpanel.gov.au

The reports of the original investigation are available on the Anti-Dumping Commission website at www.adcommission.gov.au

Joan Fitzhenry
Anti-Dumping Review Panel