



ADRP Conference Summary

Review No. 153 – 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

Panel Member	Paul O’Connor
Review type	Review of Minister’s decision
Date	Thursday, 12 May 2022
Participants	John Bracic, J. Bracic & Associates
Time opened	15:00 AEST/AEDT
Time closed	15:40 AEST/AEDT

Purpose

The purpose of this conference was to obtain further information in relation to the application before the Anti-Dumping Review Panel (Review Panel) in relation to A4 Copy Paper exported from the Federative Republic of Brazil.

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 seek clarification as to the grounds of review and arguments advanced in support of the application. 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 the application 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 Mr Bracic:

- 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.



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

Prior to the conference, Mr Bracic was 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](#). Mr Bracic indicated that he 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. Mr Bracic confirmed that the focus of the review application was based upon the Commissioner's recommendations with respect to the likelihood of the occurrence of material injury. He noted that to the extent that past history is an indicator of a likely future action, Sylvamo's exports were in small volumes and comprised a differentiated product from that offered by Australian Paper, and a product which historically has been priced above that of products offered by Australian Paper. He emphasised that Sylvamo's focus was on niche markets and branded products with very low volume. As a result, Sylvamo could not be viewed as a significant player in the market.
2. Mr Bracic noted that as the Commissioner had proposed to have regard to the variable factors determined in Review 551 for the purposes of the continuation inquiry, the exporter, Sylvamo, was not required to complete another Exporter Questionnaire. However, the exporter provided the Commission with updated total sales data for the review period relevant to REP 588.
3. Mr Bracic referred to a statement at page 62 of REP 588 which suggests that Sylvamo "no longer supplies the private label brands identified in review 551." Mr Bracic challenges this statement and stated that Sylvamo exported HP branded 80gsm non-recycled paper during the first quarter of 2020 and in the last quarter of 2021. He indicated the gap in exports was due to difficulty surrounding global shipping schedules and imposed Covid restrictions in Brazil. He also confirmed that



Sylvamo had continued to make export sales of 90gsm private label paper throughout 2020 and 2021.

4. Mr Bracic confirmed that the non-standard characteristics of the HP branded paper, was not the GSM as the Commission appeared to understand, but instead related to its technical attributes and it's recommended use with HP inkjet and laser jet printers. Mr Bracic asserts that the Commission did not properly address this argument in REP 588.
5. Reference was made to Figures 9 and 10 in REP 588 which depict Officeworks price offers in October 2021: per ream pack and for 5 ream pack. Mr Bracic noted Sylvamo had no control over the retailer's selling prices in the Australian market. Nevertheless the figures in those tables confirm arguments Mr Bracic had put to the Commission in the course of the review to the effect that both price and competition structure was impacted by the recycled content of the various products and by the different product categories.
6. Mr Bracic confirmed that Sylvamo exported two grades of HP branded product: *Everyday* and *Office*, with *Everyday* being the brighter and in competition with the premium brands of Reflex *Ultra White* and J Burroughs *Premium*. He noted that HP's *Everyday* brand traded at a price premium above the prices offered by the other premium brands. Overall, he maintains that HP branded paper is able to command a price premium as there are dedicated customers that will continue to follow HP's recommendation to use ColorLok paper for their HP printers, despite cheaper non-HP branded paper been available.
7. The key argument for Sylvamo is that a proper comparison must be undertaken of comparable products, taking into account recycled content and product categories which would provide a more meaningful and comparison of prices. Mr Bracic notes that the Commission's analysis included Reflex recycled product, which is more expensive to produce and not a product that has been exported by Sylvamo, within its market analysis and argues that this ought to have been excluded.

Paul O'Connor

Member

Anti-Dumping Review Panel

19 May 2022