



As Trustee for Marpac Unit Trust

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Note to the Relevant Commissioner: Ms Joan Fitzhenry

1. [REDACTED] claim they were ignorant of the Anti Dumping process.
See Marpac Attachment 1.0 Extract: Anti dumping duties hit tinplate in Malaysia | The Canmaker Being a major player in Malaysia, [REDACTED] would have had a significant input into the anti dumping process in their country.
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2. [REDACTED] continue to claim a “special” requirement for a click seal. Marpac can produce these special requirements. The Anti Dumping Commission were provided samples and shown tooling that had been purchased to produce this feature during the confirmation visit to Marpac
Marpac holds ISO 22000 accreditation, which means an independent body has approved Marpac as capable of meeting the required standards of the Food Industry.
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3. [REDACTED] incorrectly states that Marpac has only concentrated on 73mm TRF production – Marpac currently, as per its Business Plan, has become commercial in 99mm TRF and before the end of this year will be commercial in 127mm and 153mm. The delay in this capability has been caused by the Hindrance of “Dumped Imports”.

[REDACTED] also stated the importance of a steel can TRF. Given that [REDACTED] does not make steel cans it is bemusing that they have represented an interest in the steel can.

In terms of gauge, Marpac has always been prepared to produce the TRF’s at the gauges necessary and negotiated.

- The “accepted Industry Standard”, was 0.18 ring and plug, for 73mm TRF, up until recently, when the imports started to hinder Marpac’s entry into the local market.
- It is standard for tooling to be capable of a range of gauges (thickness of tinplate) as the tinplate standards (JIS, ASTM, EN etc) allow for 8 10% thickness variation in any delivery. See Marpac Confidential Attachment 3.0 – [REDACTED]
[REDACTED] Marpac 73mm and 99 mm TRF tooling is warranted to perform with tinplate [REDACTED]
[REDACTED]
- Marpac 127mm and 153mm TRF tooling will be warranted to perform with tinplate from [REDACTED]

[REDACTED] also supported the need, that Marpac recognised, to start their own production because of the issue of quality that was evident in imports from India and South Africa 5 years ago. Marpac started production in January 2014, 3 years ago. These issues were experienced in 2012 when there was no

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commercially available local manufacturing ([REDACTED]), do not sell TRF's independently of a steel can).

The Anti-Dumping Commission was provided evidence of the support from [REDACTED] to Marpac to initiate local manufacturing. This support was withdrawn when the pricing from imports dropped [REDACTED] when Marpac entered the market. This [REDACTED] price drop was prior to the [REDACTED] decrease in tinsplate pricing that was experienced after the period of investigation. These variations in tinsplate pricing still only represent a price decrease of at best [REDACTED]

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Commercial in confidence

[REDACTED]
[REDACTED] . It is our understanding that the [REDACTED] have been inactive as an Industry body since 2007. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] . Marpac was not invited to join, and in fact were told, upon request, that the [REDACTED] is a steel can representative body and not a Composite Can representative body.
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

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5. [REDACTED] – admitted selling below their cost price in their final submission

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6. Marpac have attempted to open discussions [REDACTED] and have been rebuffed at each approach. It was made clear to both that specification and price were negotiable.

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We are available to discuss any of the above and any other issues pertaining to this case, with Ms Fitzhenry

My Phone number is 0408 367 809

Regards
Charlie Maher

Anti-dumping duties hit tinplate in Malaysia

December 3, 2013



Imports of tinplate from China and South Korea used by canmaking plants in Malaysia will be more expensive now that the Malaysian government has decided to impose anti-dumping duties.

An investigation into the dumping of cheap electrolytic tinplate in Malaysia was started in February by Malaysia's Ministry of International Trade and Industry. This followed a petition by local tinplate supplier Perusahaan Sadur Timah Malaysia Bhd (Perstima), which alleged that tinplate imported from China and South Korea was being sold at below market prices.

The Royal Malaysian Customs will now enforce the collection of anti-dumping duties on some Chinese and Korean imports of tinplate for a period of five years.

Imports from Handan Steel Group Hengshui Cold Rolling Steel Co and other Chinese suppliers are now subject to a 9.78 percent import duty, with the exception of imports from Baoshan Iron & Steel Co, Shanghai Meishan Iron & Steel Co, and Zhongshan Zhongyue Tinplate Industrial Co which are exempt of duties.

Anti-dumping duties on South Korean tinplate range from 3.46 percent for Shinhwa Silup Co, 4.46 percent for TCC Steel, to 9.78 percent for Dongbu Steel Co and others.

Earlier this year the Malaysian Tin Can Manufacturers Association (MTCMA), which represents domestic canmakers, warned that the price of tinned products could rise if the government allowed protection for a foreign-controlled local company.

The MTCMA's anti-dumping committee chairman Dato Anthony See Teow Guan said in June: "If anti-dumping measures are introduced, manufacturers will pay high prices for tinplate and this will be passed to consumers for canned food, like sardines and condensed milk."

About 67 percent of Perstima is controlled by Japanese companies, including JFE Steel Corp, Nippon Steel Corp, Mitsui Group and Versalite Sdn Bhd.

