TRONOX

PUBLIC RECORD

5 November 2026

The Commissioner
Australian Trade Remedies Commission
GPO Box 2013
Canberra ACT 2601

Investigation No. 699 - Titanium dioxide exported from the People's Republic of China

Dear Commissioner,

This submission is made on behalf of Tronox Limited ("Tronox"), the applicant in Investigation No. 699 concerning titanium dioxide exported from the People's Republic of China ("China"). It renews Tronox's request that the Commissioner make a preliminary affirmative determination ("PAD") under section 269TD of the *Customs Act 1901* ("the Act") and that securities be taken under paragraph 269TD(4)(b). Tronox first made that request on 30 April 2026, and asked the Commissioner to reconsider it on 9 September 2026. No PAD has since been made.

Two developments since September are relevant to the request. On 16 October 2026 Japan initiated an anti-dumping investigation into rutile titanium dioxide from China. Further, import data to the end of September 2026 now covers five complete months since this investigation was initiated, and in each of those months imports from China exceeded the monthly average of the investigation period.

1. Extension to investigation timeframe

Tronox does not question the decision to extend this investigation. The Commissioner foreshadowed it at day 60, stating that the due date for the SEF "will likely be extended given the number of entities that have responded to the exporter questionnaire and the complexity of the case, which involves examining a new commodity not previously investigated by the commission and claims of a particular market situation in the Chinese domestic market for titanium dioxide". The extension was granted on 10 August 2026 "to allow time for the commission to gather and analyse further information and because of the commission's changing operational requirements".

Tronox agrees that the investigation is complex. The exporters are large, vertically integrated groups whose feedstocks pass between related entities before they reach the records of the exporting company. Tronox has asked the Commission to replace the recorded costs of titanium-bearing ores, energy and sulfuric acid with competitive market benchmarks. That work takes time, and Tronox would rather the Commission take the time to do it properly.

2. The consequence of an extension without securities

The extension moved the SEF from 18 August 2026 to 6 April 2027, and the final report from 2 October 2026 to 3 June 2027. Whilst the extension gives the Commission more time, it does nothing to protect the Australian industry in the meantime.

The second issue is addressed through securities. Paragraph 269TD(4)(b) provides that, on a PAD, "the Commonwealth may, at the time that determination is made or at any later time during the investigation, require and take securities under section 42 in respect of interim

duty that may become payable if the Commissioner is satisfied that it is necessary to do so to prevent material injury to an Australian industry occurring while the investigation continues". The provision exists for the period an investigation is running.

When the timetable was extended, Tronox expected that securities would follow, so that injury would not continue while the extended investigation proceeded. Without them, the whole cost of the additional eight months falls on the Australian industry. Imports continue, as section 3 shows, with no security taken on any of them.

The Minister's Statement of Expectations has identified this problem noting that "Material injury caused to Australian industries by dumping and subsidisation is being exacerbated by lengthy investigation timelines. I expect you to prioritise effective remedies for Australian manufacturers and producers being injured by dumping and subsidisation, including issuing preliminary affirmative determinations, as soon as possible where the circumstances warrant."

The Commissioner's Statement of Intent accepts that expectation, stating "I will maintain the Commission's focus on issuing PADs where sufficient grounds exist, ensuring that Australian industries are not exposed to injury while investigations are ongoing." It adds that "[w]here warranted, the Commission will continue to prioritise PADs, which protect Australian industry from injury, to ensure timely and effective remedies are in place during investigations".

Section 7 of the Customs (Preliminary Affirmative Determination) Direction 2015 requires the Commissioner to "consider as a relevant matter, for the purposes of paragraph 269TD(2)(b), the desirability of providing relief to an injured Australian industry, where warranted, as quickly as possible". At day 60 the Commissioner considered that matter and found relief "not yet warranted". That conclusion was reached when the SEF was due in August 2026. It now stands against a timetable that runs to June 2027.

3. Imports have risen since initiation

The investigation was initiated on 30 April 2026. Tronox's submission of 9 September 2026 set out import volumes for the three complete months that followed. The series now runs to the end of September 2026.

Period	Months	Average monthly volume, tonnes
Calendar year 2024	12	[redacted]
Investigation period, calendar year 2025	12	[redacted]
May to September 2025, the same months a year earlier	5	[redacted]
May 2025 to April 2026, the twelve months before initiation	12	[redacted]
December 2025 to April 2026, the five months before initiation	5	[redacted]
May to September 2026, the five months since initiation	5	[redacted]

Imports in the five months since initiation averaged [redacted] tonnes a month. That is 27.1% above the investigation period and 31.9% above the same five months of 2025. It is 23.2%

above the five months immediately before initiation, and 28.5% above the twelve months before it. Against calendar year 2024 the increase is 57.6%.

No earlier five-month period in the series matches it. The heaviest before initiation was February to June 2025, at [redacted] tonnes a month. The five months since initiation exceed it by 14.4%.

The increase has not been confined to the months straight after initiation. Each of the five months since initiation was above the investigation period average. The heaviest three months before initiation were January to March 2026, at [redacted] tonnes a month. All three of the three-month periods since initiation have exceeded that level: May to July 2026 at [redacted], June to August at [redacted] and July to September at [redacted] tonnes a month. The September quarter of 2026 was 42.1% above the September quarter of 2025. Over the first nine months of the year, imports in 2026 were 15.6% higher than in 2025.

In total, [redacted] tonnes of the goods have been exported from China to Australia since this investigation was initiated, and no security has been taken on any of it.

Importantly, the rise in Chinese imports is not explained by a corresponding increase in demand. Tronox estimates that Australian demand for titanium dioxide in 2026 is at best flat on 2025, and may be 1 to 2% lower. Imports from China over the first nine months of 2026 were nonetheless 15.6% higher than in the same months of 2025. In a market that is not growing, there is no commercial reason for Chinese exports to Australia to increase.

Only two explanations are likely, with importers building stocks ahead of any measures, or Chinese exporters are taking market share from Tronox, or some combination of both. Stockpiling between initiation and provisional measures was seen in each of the European Union, Brazil, India and Saudi Arabia, as Tronox showed in its submission of 30 April 2026. A larger share for dumped imports in a flat market comes directly at the expense of the Australian industry. On either explanation, the volumes now entering are the injury the application seeks to remedy, and securities are the means the Act provides to address them while the investigation runs.

4. Other authorities have acted

Investigating authorities elsewhere have acted against dumped titanium dioxide from China, and their domestic producers already have the benefit of that action.

Jurisdiction	Initiated	Provisional measures	Definitive measures
European Union	13 November 2023	10 July 2024, about eight months after initiation	17 December 2024
Brazil	30 April 2024	21 October 2024, under six months after initiation	23 October 2025
India	2024	None	Final findings 12 February 2025. Set aside by the Calcutta High Court on 22 September 2025. Reimposition recommended on remand, 3 August 2026

Jurisdiction	Initiated	Provisional measures	Definitive measures
Saudi Arabia	9 October 2024	None	27 October 2025
United Kingdom	3 March 2026	None to date	Statement of essential facts 6 October 2026, finding dumping
Japan	16 October 2026	Investigation under way	To be concluded within one year, in principle
Australia	**30 April 2026**	**None**	**Final report due 3 June 2027**

The European Union imposed provisional duties eight months after initiation, and definitive duties thirteen months after it. The United Kingdom published its statement of essential facts seven months after initiation. It found that the goods are being dumped, on the verified data of the LB Group exporters also selected in this investigation.

Brazil is the closest parallel. Its investigation was initiated on 30 April 2024, two years to the day before this one. On 8 October 2024 Brazil extended the investigation by up to eight months. Within days it also imposed provisional duties, which took effect on 21 October 2024. Brazil therefore did what Tronox asks of the Commission here. It took the time the investigation needed, and it protected its industry while it did so. At the same stage of this investigation, almost six months after initiation, no security has been taken.

Saudi Arabia moved directly to definitive duties, which it imposed on 27 October 2025, a little over a year after initiation. The United Kingdom reached its statement of essential facts seven months after initiation.

Japan is the latest. On 16 October 2026 its Ministry of Economy, Trade and Industry and Ministry of Finance "decided to initiate a new anti-dumping investigation of pigments and preparations based on rutile titanium dioxide originating in the People's Republic of China". The Japanese industry's application, as summarised by the Japanese authorities, claims a dumping margin ranging "from 50% to 60%". It claims that imports from China "increased significantly, more than doubling between fiscal year 2023 and fiscal year 2025". The Japanese investigation "is to be concluded within one year, in principle".

The Australian position stands in contrast. This investigation has run for almost six months. On the extended timetable the final report is due thirteen months after initiation, which is the point at which the European Union already had definitive duties in place. The Minister's decision will follow that report. Throughout that period, unless a PAD is made, no security will be taken on any import.

Each new investigation elsewhere narrows the markets open to Chinese exporters. Tronox addressed the effect of the closing of other markets in its submission of 9 October 2026. Japan is a large market in Australia's own region. If it moves to measures within the year it has set itself, Australia will be among the few significant markets still open, while its own investigation runs without interim protection.

5. The practical consequence

Tronox's submission of 9 September 2026 set out why the requirements of subsection 269TD(1) are met on the record. It referred to the injury found by the Commission's

verification team on verified data, and to the team's finding that Tronox lost volume to customers buying Chinese titanium dioxide at prices that undercut Tronox's. Since then, the import volumes have stayed at their highest sustained level, and another major market has moved against the same goods.

The public record also shows that no Australian importer or end user of the goods has lodged a submission contesting Tronox's claims of injury and causation. The only submission addressing injury came from the China National Coatings Industry Association, which made self-serving statements and which Tronox has responded to. The other submissions by interested parties concern export price and the particular market situation. Australian importers and users know this market and the prices at which the goods are offered. That none of them has disputed the injury Tronox describes is consistent with the findings of the Commission's verification team, and it supports the case for securities now.

Tronox makes this request in a constructive spirit. It values the care the Commission is taking with a difficult investigation and has no wish to cut it short. What it asks is that the Australian industry be protected while that work is done, as the Act provides and as the Statement of Expectations and the Statement of Intent contemplate.

Finally, a PAD at this stage would act mainly on prices. The Commission's Dumping and Subsidy Manual explains that "the overarching intention of the provisional measure is to affect the prices on the Australian domestic market for the product concerned". It records that "[d]umping securities may be taken at the time of entry of the goods and can be held for a period of up to 4 months (or up to 6 months if the exporter requests)", and that securities which have not been cancelled "may be converted to interim duty after the Minister has made a decision in relation to the application". The Minister's decision will not come before June 2027. Only securities on goods entered in the months immediately before that decision would still be held when it is made. The main effect of a PAD now would be to restore pricing discipline in the market while the investigation runs, not to impose a large duty liability on importers.

6. Request

For the reasons set out above, Tronox respectfully requests that the Commissioner:

- undertake the PAD reconsideration now, rather than defer it to the SEF;
- make a PAD under paragraph 269TD(1)(a) of the Act, or in the alternative paragraph 269TD(1)(b), in respect of titanium dioxide exported to Australia from China;
- be satisfied under paragraph 269TD(4)(b) that it is necessary to require and take securities to prevent material injury to the Australian industry occurring while the investigation continues, and require and take securities from the date of the determination; and
- if the Commissioner decides not to make a PAD at this time, publish the reasons now, so that Tronox can respond to them before the SEF.

Yours sincerely,

Tronox Limited