



Anti-Dumping Notice No. 2017/113

Customs Act 1901

Customs (Preliminary Affirmative Determinations) Direction 2015

Rod in Coils

Exported from the Republic of Indonesia, the Republic of Korea and the Socialist Republic of Vietnam

Investigation into Alleged Dumping

Day 60 Status Report

Introduction

The purpose of this Status Report is to set out the reasons why I, Dale Seymour, Commissioner of the Anti-Dumping Commission (Commissioner) have not made a preliminary affirmative determination (PAD) under subsection 269TD(1) of the *Customs Act 1901* (the Act) on 7 August 2017, being the next business day 60 days after the initiation of the investigation into the alleged dumping of rod in coils (the goods) exported to Australia from the Republic of Indonesia, the Republic of Korea and the Socialist Republic of Vietnam.

This report and the findings contained herein reflect the status of the investigation at day 60. My findings may change as a result of further information, submissions, analysis or verification. Accordingly, I, at any time from day 60 onwards during the investigation, may make a PAD if I am satisfied of the requirements set out in subsection 269TD(1) of the Act.

Background

On 7 June 2017, I initiated an investigation into the alleged dumping of rod in coils following an application by OneSteel Manufacturing Limited (subject to a Deed of Company Arrangement) (OneSteel) under section 269TB of the Act. Further details can be found in the public notice published on 7 June 2017 (refer to Anti-Dumping Notice No. 2017/79 at www.adcommission.gov.au).

Under subsection 269TD(1) of the Act, I may make a PAD at any time, not earlier than 60 days after I initiate an investigation for the publication of a dumping duty or countervailing duty notice, if I am satisfied:

- that there appears to be sufficient grounds for the publication of such a notice, or
- that it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

In accordance with the *Customs (Preliminary Affirmative Determinations) Direction 2015* (the Direction), 60 days after the initiation of such an investigation I must either make a PAD or provide a Status Report outlining the reasons why I have not made a PAD.

Reasons

In deciding whether to make a PAD on day 60 of this investigation, I have, in accordance with subsection 269TD(2) of the Act, had regard to:

- OneSteel's application;
- submissions received by 14 July 2017 concerning publication of the dumping duty notice in response to the initiation of the investigation; and
- responses to importer and exporter questionnaires.

Based on the above information considered at day 60 of the investigation, I am not making a PAD because I am not satisfied that under subsection 269TD(1)(a) of the Act there appears to be sufficient grounds for the publication of a dumping duty notice.

In particular, I was not able to be satisfied under subsection 269TD(1), as the Commission has not completed its analysis of the exporter information provided, and has therefore been unable to establish the preliminary existence of dumping and a causal link between the potentially dumped goods and the injury experienced by the Australian industry.

Therefore, at the time of making this report, I am unable to determine that there appear to be sufficient grounds to establish that:

- the goods exported to Australia have been dumped (at above negligible levels in accordance with section 269TDA); and
- dumped goods are causing material injury to the Australian industry.

Other considerations

Relevant matters – section 269TD(2)(b)

In accordance with the Direction, and for the purposes of subsection 269TD(2)(b) of the Act, I have considered the desirability of providing relief to an injured Australian industry as quickly as possible, where warranted. I have decided it is not warranted to make a PAD at this stage, because I am not satisfied that there appears to be sufficient grounds to establish that the goods are dumped, or to establish a causal link between the dumped goods and material injury for the reasons outlined above.

Reconsideration of making a PAD – section 269TDAA

After publishing this report, I must reconsider whether to make a PAD at least once prior to the publication of the Statement of Essential Facts (SEF) required under section 269TDAA of the Act. The SEF is due to be published on 25 September 2017. Prior to the publication or in the SEF, I will advise whether I made a PAD subsequent to this report and the reasons for my decision.

Anti-Dumping Commission Contact

Enquiries about this report may be directed to the case manager on telephone number +61 3 8539 2467, fax number +61 3 8539 2499 or email to investigations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

7 August 2017