



Customs Act 1901 – Part XV B

Anti-Dumping Notice No. 2019/29

AMMONIUM NITRATE - 473

**Exported from the People's Republic of China,
Sweden and the Kingdom of Thailand**

Amendment of securities

On 24 October 2018, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have made a preliminary affirmative determination (PAD)¹ under subsection 269TD(1) of the *Customs Act 1901*² (the Act) on the basis that I was satisfied that there appeared to be sufficient grounds for the publication of a dumping duty notice in respect of ammonium nitrate (the goods) exported to Australia from the People's Republic of China (China), Sweden and the Kingdom of Thailand (Thailand). Under subsection 269TD(4)(b), I was also satisfied that it was necessary to require and take securities pursuant to section 42 of the Act in relation to exports of the goods to Australia from China, Sweden and Thailand to prevent material injury to the Australian industry occurring while the investigation continued.

Subsequent to this, the Anti-Dumping Commission published my *Statement of Essential Facts No. 473* (SEF 473) on 25 February 2019. As a result of the findings outlined in the SEF, I remain satisfied that there appears to be sufficient grounds for the publication of a dumping duty notice and it is necessary to require and take securities in order to prevent material injury occurring to the Australian industry while the investigation continues.

Background

On 25 June 2018, I initiated an investigation (the investigation) into the alleged dumping of the goods exported to Australia from China, Sweden and Thailand following an application made by CSBP Limited, Orica Australia Pty Ltd and Queensland Nitrates Pty Ltd. Further details in relation to the initiation of the investigation can be found in ADN No. 2018/103 at www.adcommission.gov.au.

The goods the subject of the application are:

Ammonium nitrate, prilled, granular or in other solid form, with or without additives or coatings, in packages exceeding 10kg.

¹ Anti-Dumping Notice (ADN) No. 2018/166 – available at www.adcommission.gov.au.

² All legislative references are to the *Customs Act 1901*, unless otherwise stated.

Further information regarding the goods the subject of the application can be found in *Consideration Report No. 473* and ADN No. 2018/103.

The goods are currently classified within tariff subheading 3102.30.00, statistical code 05, in Schedule 3 to the *Customs Tariff Act 1995*.

Amendment to securities

Based on further information that I have received, considered and described in SEF 473, I have revised the level of securities required and taken under section 42 of the Act in respect of interim dumping duty that may become payable in relation to the goods exported to Australia by exporters from China, Sweden and Thailand. My reasons for revising the levels of securities in respect of interim dumping duty that may become payable are contained in SEF 473.

The revised level of securities will be taken in respect of any interim dumping duty that may become payable in respect of the goods entered for home consumption on or after **1 March 2019**.

The securities will be taken as an amount worked out in accordance with the floor price duty method. Securities will be required and taken in respect of interim dumping duty that is payable if the actual export price (dumping export price or 'DXP') is below the floor price, which is based on the non-injurious price, a specified (confidential) amount per tonne.

Affected parties should contact clientsupport@adcommission.gov.au on telephone number 13 28 46 or +61 2 6213 6000 (outside Australia) for further information regarding the actual security liability calculation in their circumstance.

I must report to the Minister for Industry, Science and Technology (the Minister) with final recommendations in relation to the investigation on or before 11 April 2019, unless the investigation is terminated earlier or an extension of time is granted to provide the final report. The Minister will then decide whether to publish a dumping duty notice and, if relevant, the level of measures to be imposed.

Enquiries regarding this notice may be directed to the case manager via email to investigations2@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

28 February 2019