



**AUSTRALIAN
CUSTOMS SERVICE**

Australian Customs Dumping Notice No.2000/11

CUSTOMS ACT 1901 - PART XV B

REVIEW OF ANTI-DUMPING MEASURES APPLYING TO WOVEN POLYPROPYLENE PRIMARY CARPET BACKING FABRIC EXPORTED FROM BELGIUM, THE REPUBLIC OF COLOMBIA, THE KINGDOM OF SAUDI ARABIA, THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA

The Australian Customs Service has initiated a review of the anti-dumping measures applying to woven polypropylene primary carpet backing fabric exported to Australia from Belgium, the Republic of Colombia, The Kingdom of Saudi Arabia, The United Kingdom and The United States of America.

The goods covered by the review are woven polypropylene primary carpet backing fabric (the goods), which are classified within sub-heading 5407.20.00 (statistical code 69) of Schedule 3 to the Customs Tariff Act 1995. The general rate of Customs duty applying to the goods is 17% and the developing country rate is 12%. Those rates will fall to 15% and 10% respectively from 1 July 2000.

A notice under subsection 269ZC(4) of the *Customs Act 1901* advising initiation of this review was published in *The Australian Financial Review* on 29 February 2000.

Background to Measures

On 3 July 1998 Customs received an application from Amoco Chemicals Pty Ltd (Amoco) for anti-dumping measures to be imposed on the goods exported to Australia from Belgium, Colombia, the Kingdom of Saudi Arabia, the United Kingdom and the United States of America. Amoco is the only Australian manufacturer of like goods. The application alleged that dumped exports of the goods from the countries nominated were causing material injury to the Australian industry producing like goods.

Following Customs investigation into the allegations and its consequent recommendations to the Minister responsible for Customs, anti-dumping measures were imposed against exports of the goods to Australia from all five countries named in the application. The measures were imposed on 28 January 1999 and are due to expire, unless earlier revoked, on 28 January 2004. The measures have not been reviewed.

This Review

Amoco has applied to Customs for a review of the measures on the grounds that the normal values of the goods have changed as a result of substantial increases in the price of propylene, the main raw material input in the manufacture of the goods. The review will examine normal values, export prices and non-injurious prices of the goods.

Customs will examine export prices to Australia and domestic selling prices of the goods in the country of export from 1 January 1999 and will seek information relating to manufacturing and selling costs for the most recently completed and audited financial year.

Procedures

Interested parties should lodge submissions no later than the close of business on 10 April 2000 with:

The Director
Dumping Operations 3
Trade Measures Branch
Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

or by facsimile on (02) 6275 6990.

Interested parties wishing to participate in the review must ensure that their submissions are lodged promptly. The legislation confers upon Customs the power to disregard any submissions that are received after specified dates if there is insufficient time remaining for their proper consideration.

Submissions provided in confidence must be clearly marked "confidential". In addition, two non-confidential summaries of the submission must be provided.

Section 269ZJ of the *Customs Act 1901* requires that if a person claims information is confidential, or claims that publication of the information would adversely affect their business, that person:

- must provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information, or
- must satisfy the CEO of Customs that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

The attention of interested parties is also drawn to the World Trade Organization Anti-Dumping Agreement, Article 6.5.2, which states:

If the authorities find that a request for confidentiality is not

warranted and if the supplier of the information is either unwilling to make the information public or to authorise its disclosure in generalised or summary form, the authorities may disregard such information unless it can be demonstrated to their satisfaction from appropriate sources that the information is correct.

This provision is reflected in s. 269ZJ of the *Customs Act 1901*.

Non-confidential submissions, and a copy of relevant correspondence between Customs and other persons, will be made available to interested parties through the public record. The public record may be examined at:

Trade Measures Branch
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

To access the public record contact Mr Phil Hilyard on telephone number (02) 6275 6057.

On or before 19 June 2000 (or by such later date as the Minister may allow in accordance with s. 269ZHI), a statement of essential facts will be placed on the public record, setting out the facts on which the CEO proposes to base the recommendations to the Minister. Interested parties are invited to make submissions to Customs in response to the statement of essential facts within 20 days of that statement being placed on the public record. The CEO's recommendations will be included in a report to the Minister on or before 2 August 2000 (or by such later date as the Minister may allow in accordance with s. 269ZHI).

Inquiries about the review should be directed to Ray Cork Assistant Director Operations 3, on telephone 61 2 6275 6023 or facsimile 61 2 6275 6990 or by email to 'ray.cork@customs.gov.au'.

(Paul O'Connor)
National Manager, Trade Measures
FOR CHIEF EXECUTIVE OFFICER
CANBERRA, ACT
29 February 2000