



**AUSTRALIAN
CUSTOMS SERVICE**

**Australian Customs Dumping Notice
No.2000/036**

CUSTOMS ACT 1901 - PART XV B

**INITIATION OF A REVIEW OF ANTI-DUMPING MEASURES APPLYING TO
WOUND/SKIN CLOSURE STRIPS EXPORTED FROM
FRANCE BY SMITH & NEPHEW SA AND FROM
THE USA BY MINNESOTA MINING & MANUFACTURING CO**

On 30 August 2000 the Australian Customs Service commenced a review of the anti-dumping measures applying to wound/skin closure strips exported to Australia from France by Smith & Nephew SA and from the USA by Minnesota Mining & Manufacturing Co (3M Health Care).

The goods covered by the review are classified within tariff classification subheading 3005.10.00 (statistical code 23). Imports from France and the USA attract the general duty rate of 5 per cent.

A notice under s. 269ZC(4) of the *Customs Act 1901* advising initiation of this review is to be published in *The Australian Financial Review* on 30 August 2000.

Background to Measures

Measures were imposed in December 1998 following Anti-Dumping Authority Report No. 195.

The Current Review

Initiation of this review follows an application from Surgi Supplies International Pty Ltd (Surgi). Surgi claimed that the variable factors relevant to the taking of anti-dumping measures had changed, and sought a review of export prices, normal values and non-injurious prices. Customs assessed the information contained in the application and will review the level of non-injurious prices.

Procedures

Interested parties Australia should lodge submissions no later than the close of business on 9 October 2000 with:

The Director
Trade Measures, Operations 1
Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

Or by fax on (02) 6275 6990.

All interested parties wishing to participate in the review must ensure submissions are lodged promptly. The legislation confers upon Customs the power to disregard any submissions that are

received after specified periods if there is insufficient time remaining for their proper consideration.

Submissions provided in confidence must be clearly marked "confidential". In addition, two non-confidential copies 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.

Interested parties attention is 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 the above address during business hours by contacting Mr Phil Hilyard on telephone number (02) 6275 6057.

At or before day 110, ie 18 December 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. A recommendation to the minister will be made in a report at or before day 155, ie 1 February 2001 (or by such later date as the minister may allow in accordance with s. 269ZHI).

Inquiries about the review should be directed to Rory Carroll, telephone (02)6275 6137; facsimile (02)6275 6990; email rory.carroll@customs.gov.au.

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

30 August 2000