



**AUSTRALIAN
CUSTOMS SERVICE**

Australian Customs Dumping Notice No.2000/050

CUSTOMS ACT 1901 - PART XV B

INITIATION OF A REVIEW OF ANTI-DUMPING MEASURES APPLYING TO POLYVINYL CHLORIDE HOMOPOLYMER RESIN EXPORTED FROM THAILAND

The Australian Customs Service has commenced a review of anti-dumping measures applying to polyvinyl chloride homopolymer resin (PVC) exported to Australia from Thailand.

The goods are classified within sub-heading 3904.10.00, statistical code 18, of the *Customs Tariff Act 1995* and attract a rate of duty of 5%.

A notice advising initiation of this review is to be published in *The Australian Financial Review* on 24 October 2000.

Background to Measures

In October 1992 measures were imposed against exports of PVC from Canada, China, France, Japan, Norway, Saudi Arabia and Thailand (ADA Report No. 82 refers). Those measures were reviewed by Customs in January 1996 (the same review included Brazil, Mexico and USA, Dumping Review Finding No. 96/6 refers). In August 1997 the ADA recommended the measures against Japan should continue and the measures against Canada, China, France, Norway, Saudi Arabia and Thailand should not continue (Report No. 176 refers). The Minister did not accept all the ADA's recommendations and measures against Canada, France, Japan, China and Thailand were continued for another five years from 21 October 1997. Those measures are due to expire in 2002. The measures against Norway and Saudi Arabia were not continued.

The measures against Thailand were reviewed in April 1998 (Dumping Review Finding 98/006 refers). A further review of measures against Japan, Thailand and USA was initiated in September 1999 but discontinued in June 2000.

The Current Review

On 3 October 2000, Australian Vinyls Corporation Limited applied for a review of normal values and Non-Injurious Free On Board Prices (NIFOBs) applying

to exports of PVC from Thailand. Further information was lodged subsequent to that date. The applicant claims that variable factors relevant to the setting of the current measures have changed since the last review. Customs has assessed the information contained in the application and will review normal values and NIFOBs relating to exports from Thailand.

Customs will examine the period from 1 July 1999 for cost data relating to normal value information.

Procedures

Interested parties in Australia should lodge submissions no later than the close of business on 4 December 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 6888.

All 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 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.

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.

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 12 February 2001 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 28 March 2001.

Inquiries about the review should be directed to Mr Ivo van Hoorn on telephone (02) 6275 6637; facsimile (02) 6275 6888; or email ivo.vanhoorn@customs.gov.au.

PAUL O'CONNOR
National Manager
Trade Measures

23 October 2000