



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2013/51

Formulated glyphosate

Exported from

The People's Republic of China

Termination of resumed investigation

CUSTOMS ACT 1901 – PART XV B

On 6 February 2012, the Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (ACBPS) initiated an investigation into the alleged dumping of formulated glyphosate exported to Australia from the People's Republic of China (China), following an application lodged by Nufarm Limited and Accensi Pty Ltd.

ACBPS published a notice in *The Australian* on 6 February 2012 notifying of the initiation of the investigation, and released Australian Customs Dumping Notice (ACDN) 2012/05, which contains further details on the investigation, available at <http://www.customs.gov.au/anti-dumping/notices.asp>.

The delegate of the CEO terminated the investigation on 2 August 2012. Following an appeal to the Trade Measures Review Officer (TMRO), the TMRO revoked the termination on 23 October 2012 and the investigation was resumed by ACBPS.

As a result of ACBPS's resumed investigation, the Delegate of the CEO of ACBPS:

- in relation to Jiangsu Good Harvest Weien Agrochemical Co Ltd, Shandong Weifang Rainbow Chemical Co., Ltd and Zhejiang Xinan Chemical Industrial Group Co., Ltd (including goods indirectly exported through Zhejiang Wynca Import And Export Co., Ltd), is satisfied that there has been no dumping by those exporters of any of those goods the subject of the application and, therefore, has decided to terminate the investigation in accordance with s.269TDA(1) of the *Customs Act 1901* so far as it relates to those exporters; and
- is satisfied that the total volume of goods that have been exported to Australia over a reasonable examination period from China that have been dumped from all other Chinese exporters is negligible and,

therefore, has decided to terminate the investigation so far as it relates to China in accordance with s.269TDA(3) of the *Customs Act 1901*.

In making the decisions to terminate, the Delegate of the CEO had regard to the application, submissions from interested parties, Statement of Essential Facts 183 (SEF 183), submissions in response to SEF183, the report of the TMRO, Statement of Essential Facts 183a (SEF 183a), submissions in response to SEF 183a, and other relevant information.

Termination Report No.183a, which sets out reasons for the termination decisions, including the material findings of fact or law upon which the decisions are based, is available on ACBPS's Public Record of the investigation, and on ACBPS's website at <http://www.customs.gov.au/anti-dumping/cases.asp>.

A notice of the decision to terminate was published in *The Australian* newspaper on 24 June 2013.

The applicants may request a review of the delegate's decision to terminate the investigation by lodging an application with the Anti-Dumping Review Panel (ADRP) in the approved form and manner within 30 days of the publication of the public notice.

The ADRP can be contacted by telephone, facsimile, post or email as shown below:

Anti-Dumping Review Panel
c/o Legal Services Branch
Australian Customs and Border Protection Service
5 Constitution Avenue
CANBERRA CITY ACT 2601

Telephone: +61 2 6275 5868
Facsimile: +61 2 6275 6784

Email: ADRP_support@customs.gov.au

Enquiries concerning this notice may be directed to the case manager on telephone number (02) 6274 4948, fax number (02) 6275 6990 or email itrops1@customs.gov.au.

Scott Wilson
A/g National Manager
International Trade Remedies Branch
CANBERRA ACT

24 June 2013