



## **ANTI-DUMPING NOTICE NO. 2013/72**

### **Hot rolled plate steel**

### **Exported from the People's Republic of China, the Republic of Indonesia, Japan, the Republic of Korea and Taiwan**

### **Findings in relation to a dumping and subsidisation investigation**

#### ***Customs Act 1901 – Part XVB***

The Anti-Dumping Commission (the Commission) has completed its investigation, which commenced on 12 February 2013, into the alleged dumping of plate steel (the goods) exported to Australia from the People's Republic of China (China), Republic of Indonesia (Indonesia), Japan, the Republic of Korea (Korea) and Taiwan, and the alleged subsidisation of the goods exported to Australia from China.

The Commission has published a dumping duty notice in respect of the goods exported to Australia from China, Indonesia, Japan and Korea and has published a countervailing duty notice in respect of the goods exported to Australia from China.

The goods are currently classified to tariff subheadings:

- 7208.40.00 statistical code 39;
- 7208.51.00 statistical code 40;
- 7208.52.00 statistical code 41;
- 7225.40.00 statistical codes 22 and 24

in Schedule 3 of the *Customs Tariff Act 1995*.

A full description of the goods is available in Australian Customs Dumping Notice (ACDN) No. 2013/18 (relating to the initiation) and ACDN 2013/20 (relating to the clarification of the goods). These ACDNs are available at the Commission website [www.adcommission.gov.au](http://www.adcommission.gov.au).

The Commission reported its findings and recommendations to the Minister for Industry (the Minister) in Anti-Dumping Commission Report to the Minister No. 198 (REP 198), in which it outlines the investigations carried out by the Commission and recommends the publication of a dumping duty notice and a countervailing duty notice in respect of the goods. The Minister has considered REP 198 and has accepted the Commission's recommendations and reasons for the recommendations, including all material findings of fact or law on which the Commission's recommendations were based, and particulars of the evidence relied on to support the findings.

Notice of the Minister's decision was published in *The Australian* newspaper and the *Commonwealth of Australia Gazette* on 19 December 2013.

### **Termination 198a**

On 10 September 2013, the Commission terminated its dumping investigation into the goods exported by all exporters from Taiwan, Hyundai Steel Company and POSCO from Korea and Shandong Iron and Steel, Jinan Company (JIGANG) from China. *Termination Report No. 198* (TER 198) sets out the reasons for these terminations. This report is available on the Commission's website.

### **Imposed measures**

In REP 198, the Commission found that:

- plate steel exported by all exporters from China (except JIGANG), was dumped with a margin of 22.1%;
- plate steel exported by all exporters from China (except JIGANG), was subsidised to 36.9%;
- plate steel exported by JIGANG was subsidised to 2.6%;
- plate steel exported by all exporters from Indonesia was dumped with margins ranging from 8.6% to 19%;
- plate steel exported by all exporters from Japan was dumped with a margin of 14.3%;
- plate steel exported by all exporters from Korea (except Hyundai and POSCO) was dumped with margins ranging from 18.4% to 20.6%;
- the dumped exports caused material injury to the Australian industry producing like goods;
- the subsidised exports caused material injury to the Australian industry producing like goods; and
- continued dumping and subsidisation may cause further material injury to the Australian industry.

The interim dumping duty payable is an amount worked out in accordance with the combination of fixed and variable duty method, as detailed in the table below.

Particulars of the dumping and subsidy margins established for each of the exporters and the effective rates of duty are set out in the following table.

Country	Manufacturer / exporter <sup>1</sup>	Dumping margin	Subsidy margin	Effective rate of duty
China	JIGANG	<2%	2.6%	0.0%*
	<i>All other exporters</i>	22.1%	36.9%	54.9%
Indonesia	PT Gunung Rajapaksi (Rajapaksi)	8.6%	Not applicable	8.6%
	PT Krakatau Steel (Krakatau)	11.3%	Not applicable	11.3%
	PT Gunawan Dianjaya Steel (Dianjaya)	11.3%	Not applicable	11.3%
	<i>All other exporters</i>	19.3%	Not applicable	19.3%
Japan	<i>All exporters</i>	14.3%	Not applicable	14.3%
Korea	Dongkuk Steel Mill, Co., Ltd	18.4%	Not applicable	18.4%
	<i>All other exporters (except Hyundai Steel Company and POSCO)</i>	20.6%	Not applicable	20.6%

\* Refer to section 12 of REP198

<sup>1</sup> The manufacturers / exporters listed in figure 1 may supply the goods directly or indirectly through traders.

The calculation of combined dumping and countervailing duties is not simply a matter of adding the dumping and subsidy margins together for any given exporter, or group of exporters.

Rather, the collective interim dumping duty and interim countervailing duty imposed in relation to the goods exported from China is the sum of:

- the subsidy rate calculated for all countervailable programs; and
- the dumping rates calculated, less an amount for the subsidy rate applying to Program 1.

Anti-dumping measures apply to goods that are exported to Australia after publication of the Minister's notice.

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Commission on 1300 884 159 or +61 2 6275 6066 (outside Australia) or at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au) for further information regarding the actual duty liability calculation in their particular circumstance.

Any dumping securities that have been taken on and from 19 July 2013, will be converted to interim dumping duty.<sup>2</sup> Importers will be contacted by the Regional Securities Officer in their respective capital city detailing the required conversion action for each security taken.

To preserve confidentiality, the export price, normal value and non-injurious price applicable to the goods will not be published. Bona fide importers of the goods can obtain details of the rates from the Dumping Liaison Officer in their respective capital city.

Clarification about how measures securities are applied to 'goods on the water' is available in ACDN 2012/34, available on the Commission website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel in accordance with the requirements in Division 9 of Part XVB of the *Customs Act 1901* within 30 days of the publication of the Minister's notice.

REP 198 and TER 198 have been placed on the Commission's public record, available at [www.adcommission.gov.au](http://www.adcommission.gov.au). Alternatively, the public record may be examined at the Commission office by contacting the Case Manager on the details provided below.

Enquiries about this notice may be directed to the case manager on 02 6275 6129, fax number 1300 882 506 or [operations2@adcommission.gov.au](mailto:operations2@adcommission.gov.au).

Lisa Hind  
National Manager Operations  
Anti-Dumping Commission

19 December 2013

---

<sup>2</sup> Within the time limitations of section 45 of the *Customs Act 1901*.