



ANTI- DUMPING NOTICE NO. 2014/55

Zinc Coated (Galvanised) Steel

Exported from India and the Socialist Republic of Vietnam

Initiation of an Investigation into Alleged Dumping

Customs Act 1901 – Part XVB

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commission), have initiated an investigation following an application lodged by BlueScope Steel Limited, a manufacturer of zinc coated (galvanised) steel in Australia. The application seeks the publication of a dumping duty notice in respect of certain galvanised steel exported to Australia from India and the Socialist Republic of Vietnam (Vietnam).

The application alleges that the goods have been exported to Australia at prices less than their normal value and that the dumping has caused material injury to the Australian industry through:

- price suppression;
- reduced profit and profitability;
- reduced return on investment;
- reduced employment numbers; and
- reduced ability to raise capital for re-investment.

The non-confidential version of the application, which contains the basis of the alleged dumping, is available on the public record.

A notice under subsection 269TC(4) of the *Customs Act 1901* (the Act) advising initiation of this investigation was published in *The Australian* newspaper on 11 July 2014.

The Goods

The goods the subject of the application (“the goods”) are flat rolled iron or steel products (whether or not containing alloys) that are plated or coated with zinc exported to Australia from India and Vietnam.

These goods are generically called galvanised steel. Galvanised steel of any width is included in this application.

The applicant provided further details as follows:

The goods include the same categories of goods as identified in Trade Measures

Report Nos. 190 and 193, however, this application also includes goods that are alloyed (i.e. with minor additions, e.g. boron, chromium, etc.). The goods the subject of this application include all zinc coated product options, including all grades/models of zinc coated steel, all coating mass classes and all surface treatments.

Trade or further generic names often used to describe these goods include:

- "GALVABOND®" steel
- "ZINCFORM®" steel
- "GALVASPAN®" steel
- "ZINCHITEN®" steel
- "ZINCANNEAL" steel
- "ZINCSEAL" steel
- Galv
- GI
- Hot Dip Zinc coated steel
- Hot Dip Zinc/Iron alloy coated steel
- Galvanneal

The amount of zinc coating on the steel is described as its coating mass and is nominated in grams per meter squared (g/m²) with the prefix being Z (zinc) or ZF (zinc converted to a zinc/iron alloy coating). The common coating masses used for zinc coating are: Z350, Z275, Z200/Z180, Z100, and for zinc/iron alloy coatings ZF100, ZF80 and ZF30 or equivalents based on international standards and naming conventions.

Surface treatments can include but not be limited to: passivated or not passivated (often referred to as chromated or unchromated), oiled or not oiled, skin passed or not skin passed, phosphated or not phosphated (for zinc iron alloy coated steel only).

Excluded from the definition of the goods the subject of this application is painted galvanised steel, pre-painted galvanised steel, electro-galvanised steel, corrugated galvanised steel or aluminium zinc alloy coated or plated steel.

The goods are currently classified to the tariff subheadings 7210.49.00 (statistical codes 55, 56, 57 and 58), 7212.30.00 (statistical code 61), 7225.92.00 (statistical code 38) and 7226.99.00 (statistical code 71) of Schedule 3 to the *Customs Tariff Act 1995*. Goods from India and Vietnam, classified to tariff subheadings 7210.49.00 and 7212.30.00, are duty free, while goods classified to tariff subheadings 7225.92.00 and 7226.99.00 are subject to 4 per cent Customs duty.

Investigation Process

The investigation period is 1 July 2013 to 30 June 2014. The Commission will examine exports to Australia of the goods during that period to determine whether dumping has occurred. The Commission will examine details of the Australian market from 1 July 2008 for injury analysis purposes.

Where the Parliamentary Secretary to the Minister for Industry (the Parliamentary Secretary) is satisfied, as to goods of any kind, that:

- (a) the amount of the export price of the goods that have already been exported to Australia is less than the normal value of those goods, and the amount of the export price of like goods that may be exported to Australia in the future may be less than the normal value of the goods; and
- (b) because of that, material injury to an Australian industry producing like goods has been or is being caused or is threatened, or the establishment of an Australian industry producing like goods has been or may be materially hindered;

the Parliamentary Secretary may, by public notice, impose interim dumping duties.

Where there are grounds for the Parliamentary Secretary to publish a dumping duty notice in respect of the goods, the Commission will examine whether the trade in the dumped goods give rise to retrospective notices being published pursuant to section 269TN of the Act, and make recommendations to the Parliamentary Secretary accordingly.

Public Record

I must maintain a public record of each inquiry. Documents included on the public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively the public record is available at www.adcommission.gov.au.

The public record will contain, among other things, a copy of the application, *Anti-Dumping Commission Consideration Report No. 249* and a copy of all submissions from interested parties.

Lodgement of Submissions

Interested parties, as defined by subsection 269T(1) of the Act, are invited to lodge submissions concerning the publication of the dumping duty notice sought in the application, no later than the close of business on **20 August 2014**, addressed to:

The Director
Operations 1
Anti-Dumping Commission
Customs House
1010 La Trobe Street
Docklands VIC 3008

or by email operations1@adcommission.gov.au or by fax to 1300 882 506.

Interested parties wishing to participate in the investigation must ensure that submissions are lodged by the due date. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties may reply to matters raised by other parties during the course of the investigation and in response to the statement of essential facts.

The public record must contain, among other things, a copy of all submissions from

interested parties. Letters and electronic mail are generally regarded as submissions if they contain information relevant to the inquiry.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY".

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Provisional Measures

A preliminary affirmative determination may be made not earlier than 60 days after the date of initiation provided that there appears to be sufficient grounds for the publication of a dumping duty notice. In accordance with section 269TD of the Act, provisional measures, in the form of securities in respect of interim dumping duty that may become payable on the goods, may be imposed where a preliminary affirmative determination has been made.

Statement of Essential Facts

The dates specified in this notice for lodging submissions must be observed to enable the Commission to report to the Parliamentary Secretary within the legislative timeframe. A statement of essential facts will be placed on the public record by 29 October 2014, or by such a later date as the Parliamentary Secretary may allow in accordance with section 269ZHI of the Act. The statement will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary. That statement will invite interested parties to respond to the issues raised within 20 days of the statement being placed on the public record.

Submissions received in response to the statement of essential facts will be taken into account in completing the report and recommendation to the Parliamentary Secretary.

Report to the Parliamentary Secretary

A recommendation to the Parliamentary Secretary will be made in a report on or before 15 December 2014 (or such later date as the Parliamentary Secretary may allow), unless I terminate the investigation.

The Parliamentary Secretary must make a declaration within 30 days after receiving the report, or due to special circumstances, such longer period as the Parliamentary Secretary considers appropriate.

Anti-Dumping Review Panel

Certain parties will have the right to seek review with the Anti-Dumping Review Panel in accordance with Division 9 of Part XVB of the Act of either a decision by the Commissioner to terminate the investigation, or a decision of the Parliamentary Secretary after considering the Commission's report.

Anti-Dumping Commission Contact

Enquiries about this notice may be directed to the case manager on telephone number +61 3 9244 8562, fax number 1300 882 506 or +61 2 6275 6888 (outside Australia) or operations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

11 July 2014