



Australian Government
Department of Industry,
Innovation and Science

Anti-Dumping
Commission

Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2017/167

**Investigation into alleged dumping of certain
steel reinforcing bar**

exported from

**Greece, the Republic of Indonesia,
Spain (by Nervacero S.A),
Taiwan (by Power Steel Co. Ltd) and
the Kingdom of Thailand**

**Preliminary Affirmative Determination No. 418
(PAD 418)**

and

Imposition of Securities

Public notice under section 269TD of the Customs Act 1901

Background

On 27 June 2017, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping of certain steel reinforcing bar (the goods) exported to Australia from Greece, the Republic of Indonesia (Indonesia), Spain (exported by Nervacero S.A), Taiwan (exported by Power Steel Co. Ltd) and the Kingdom of Thailand (Thailand) following an application lodged by OneSteel Manufacturing Pty Ltd now trading as Liberty OneSteel (OneSteel).

The goods

The goods the subject of the application are:

Hot-rolled deformed steel reinforcing bar whether or not in coil form, commonly identified as rebar or debar, in various diameters up to and including 50 millimetres, containing indentations, ribs, grooves or other deformations produced during the rolling process.

The goods covered by this application include all steel reinforcing bar meeting the above description regardless of the particular grade, alloy content or coating.

Goods excluded from this application are plain round bar, stainless steel and reinforcing mesh.

Tariff classification

The goods are generally, but not exclusively, classified to the following tariff classifications in Schedule 3 to the *Customs Tariff Act 1995*:

Tariff subheading	Statistical code
7213.10.00	42
7214.20.00	47
7227.90.10	69
7227.90.90	42
7227.90.90	01, 02, 04
7228.30.10	70
7228.30.90	40
7228.60.10	72

These tariff classifications and statistical codes may include goods that are both subject and not subject to this investigation. The listing of these tariff classifications and statistical codes are for convenience or reference only and do not form part of the goods description. Please refer to the goods description for authoritative detail regarding goods the subject of this investigation.

PAD 418

In deciding whether to make a Preliminary Affirmative Determination (PAD), I have had regard to the application from OneSteel and the submissions concerning publication of the dumping duty notice that were received by the Anti-Dumping Commission within 37 days after the date of initiation of the investigation. I have also had regard to verified data gathered during importer and exporter visits and submissions that were received before 31 October 2017 i.e. two weeks before publication of the Statement of Essential Facts (SEF) 418. I have not had regard to submissions received on or after 31 October 2017, as to do so, would in my opinion prevent the timely consideration of the question as to whether or not to make a PAD.

As specified in the combined SEF 418 and PAD 418 report and pursuant to subsection 269TD(1)(a) of the Act¹, I am satisfied that there appear to be sufficient grounds for the publication of a dumping duty notice in relation to the goods exported from Greece, Indonesia Spain (exported by Nervacero S.A), Taiwan (exported by Power Steel Co. Ltd) and Thailand. As a result, I have made a preliminary affirmative determination (PAD 418) to that effect.

In making PAD 418, I have had regard to the requirements of the Act and my findings in the combined SEF 418 and PAD 418 report. I am satisfied that

¹ All references in this notice to the Act are a reference to the *Customs Act 1901*.

dumped goods exported to Australia from Greece, Indonesia (except by exporters PT Ispat Panca Putera and PT Putra Baja Deli), Spain (exported by Nervacero S.A), Taiwan (exported by Power Steel Co. Ltd) and Thailand appear to have caused material injury to the Australian industry producing like goods in the form of:

- loss of market share
- price suppression;
- loss of profits;
- reduced profitability;
- reduced return on investment; and
- reduced capital investment

Relevant information that I have relied on in making this PAD 418, including the considerations relevant to the determination of material injury to the Australian industry producing like goods, is in the combined SEF 418 and PAD 418 which is available on the public record at www.adcommission.gov.au

The preliminary dumping margins are tabulated below. These margins were calculated in accordance with the Act under subsection 269TACB(2)(a). Further information can be found in the combined SEF 418 and PAD 418 report.

Country	Exporter	Margin
Greece	Uncooperative and all other exporters	42.1%
Indonesia	PT Ispat Panca Putera	-2.2%
	PT Putra Baja Deli	0.4%
	Uncooperative and all other exporters	7.2%
Spain	Nervacero	7.5%
Taiwan	Power Steel	4.4%
Thailand	Millcon Steel	9.6%
	Uncooperative and all other exporters	12.2%

Table 1: Preliminary dumping margins

Under paragraph 269TD(4)(b) of the Act, I am satisfied that it is necessary for the Commonwealth to require and take securities in order to prevent material injury occurring to the Australian industry while the investigation continues.

The Commonwealth will require and take securities under section 42 of the Act in respect of interim dumping duty that may become payable in respect of the goods exported from Greece, Indonesia (except for goods exported by PT Ispat Panca Putera and PT Putra Baja Deli), Spain (exported by Nervacero S.A), Taiwan (exported by Power Steel Co. Ltd) and Thailand entered for home consumption on or after 15 November 2017.

Form of dumping securities

The securities in respect of any interim dumping duty that may become payable on exports of the goods from Greece, Indonesia (except for goods exported by PT Ispat Panca Putera and PT Putra Baja Deli), Spain (exported by Nervacero S.A), Taiwan (exported by Power Steel Co. Ltd) and Thailand will be determined in accordance with subsection 5(7) of the *Customs Tariff (Anti-Dumping) Regulation 2013* using the ad valorem duty method.

The securities will be imposed at the rate of the preliminary dumping margin assessments specified in Table 1 above.

Affected parties should contact www.business.gov.au on telephone **13 28 46** or **+61 2 6213 6000** (outside Australia) for further information regarding the actual security liability calculation in their particular circumstance.

Further information

I must report to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)² with final recommendations in relation to this investigation on or before 29 December 2017. The Parliamentary Secretary will then decide whether to publish a dumping duty notice and, if relevant, the level of measures to be imposed.

Further, if dumped goods give rise to a retrospective notice being imposed on the goods under section 269TN of the Act, the dumping duty notice will also include the duties to be imposed retrospectively.

Enquiries about this notice may be directed to the case manager on telephone number on 0385392451 or Investigations2@adcommission.gov.au

Dale Seymour
Commissioner
Anti-Dumping Commission

14 November 2017.

² On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this investigation the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.