



Anti-Dumping
Commission

12 NOV 2015

IMCD Australia Limited

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23 October 2015

The National Manager – Operations
Anti-Dumping Commission
Customs House
101 Latrobe Street,
Docklands. VIC 3008

Facsimile 1300 882 506 (8 pages)

Dear Sir,

RE: Application for a review of anti-dumping measures

Herein is an application for a review to be initiated to remove dumping duties covering imports of Polyvinyl Chloride resin from Korea.

Information in support of the application:

1. Completed of Form B602 – see attached
2. Applicant Details:
 - a. IMCD Australia Limited, 1st Floor, 372 Wellington Road, Mulgrave. Victoria. 3170.
ACN: 44 000 005 578
 - b. Contact Person: Peter Moffat, Business Manager Plastics and Rubber
 - a. Telephone: +613 8544 3174 or 0425 717 255
 - b. Facsimile: +613 8544 3247
 - c. Email: pmoffat@imcd.com.au
1. Interest as an affected party and reason for a revocation review:
 - a. IMCD Australia Limited is an importer and distributor of raw materials and chemicals and we would like to commence importation of polyvinyl chloride (PVC) resin from Korea once Australian Vinyls (AVC) PVC resin plant in Laverton, Victoria ceases to manufacture PVC resin in early 2016.
 - b. AVC is the only Australian manufacturer of PVC resin and with the closure of the Laverton manufacturing plant in early 2016, PVC resin will no longer be manufactured locally. We believe that the measures will no longer be warranted because imports of PVC resin from Korea will not cause injury to a local industry and seek removal of dumping measure detailed in Australian Dumping Notice No. 2012/50
2. Details of Anti-Dumping Measures
 - a. Dumping Notice No. 2012/50
 - b. Tariff Classification 3904.10.00 Statistical code 18
 - c. Relates to exports of PVC resin from Korea



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- d. Notice published in The Australian newspaper and Commonwealth of Australia Gazette on 19 October 2012

6. Attachments:

- a. Form B602
- b. Dumping Notice No. 2012/50
- c. Notice of AVC closure see below – sourced from AVC website
<http://www.av.com.au/>

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Peter Moffat".

Peter Moffat

Business Manager Plastics and Rubber.
IMCD Australia Limited

September 2015



IMCD Australia Limited

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Australian Vinyls to close PVC resin manufacturing plant

Australian Vinyls (AV) will cease manufacturing polyvinyl chloride (PVC) resin at its plant in Laverton, Victoria.

The decision comes following a strategic review of the financial performance of, and outlook for, AV's PVC business in increasingly difficult conditions.

A global oversupply of PVC resin leading to depressed local pricing, increasing imported raw material and local costs, and a shrinking Australian market have all contributed to recent operating losses.

Despite a lower Australian dollar, forecast increases in pricing for vinyl chloride monomer (VCM – the key raw material required to make PVC resin) and depressed PVC pricing mean that AV would continue to operate at a loss for the foreseeable future, a situation which is clearly not sustainable.

As a result, AV will cease manufacturing following the conversion of its final VCM shipment, which is expected to arrive later this year.

With this in mind, we would expect continuous production to cease in early 2016. This is then expected to be followed by several months of plant decommissioning and associated works.

While it's clear that local PVC resin manufacturing is no longer economically viable, AV is working with customers to assess whether it could sustainably continue as an importer of PVC resin, and we expect to have reached a decision on this in the next month.

Whatever the outcome might be of the import option, AV will be working with customers on a transition away from locally-manufactured PVC as it moves towards the end of local PVC resin manufacturing.

AV's commitment to safety, reliability and customer service remains as important as ever as it continues to manufacture through to closure.

We will be consulting with our employees, and continuing to keep our customers, contractors and suppliers up-to-date throughout the coming months.



Australian Government
Anti-Dumping Commission

Application for a
review of
anti-dumping measures

APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901*
FOR A REVIEW OF ANTI-DUMPING MEASURES

In accordance with section 269ZA of the *Customs Act 1901*, I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1. **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

- normal value
 export price
 non injurious price
 subsidy

The variable factors review is in relation to:

- a particular exporter (*if so provide name and country details*)
 exporters generally

or

2. **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

- the dumping duty notice
 the countervailing duty notice
 the undertaking

The revocation review is in relation to:

- a particular exporter (*if so provide name and country details*)
 exporters generally

NOTE

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:



Name:

PETER MOFFAT.

Position:

BUSINESS MANAGER.

Company:

IMCO AUSTRALIA LIMITED.

ABN:

44 000 005,578.

Date:

23.10.2015.



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2012/50

Polyvinyl Chloride Homopolymer Resin (PVC)

Exported from the Republic of Korea

Finding in relation to an investigation into dumping

CUSTOMS ACT 1901 – PART XVB

The Australian Customs and Border Protection Service (Customs and Border Protection) has completed its investigation into the dumping of polyvinyl chloride homopolymer resin (PVC) exported to Australia from the Republic of Korea (Korea). PVC is classified under sub-heading 3904.10.00, statistical code 18, in Schedule 3 to the *Customs Tariff Act 1995*. The general rate of duty for PVC from Korea is 5%.

In International Trade Remedies Branch Report No. 187 (REP 187), Customs and Border Protection recommended the publication of a dumping duty notice in respect of the goods. This Report outlines the investigations carried out by Customs and Border Protection, a statement of the reasons for the recommendations within, material findings of fact or law on which the recommendations were based and particulars of the evidence relied on to support the findings.

In REP 187, Customs and Border Protection found that:

- PVC exported from Korea to Australia was dumped with margins of 3.26%; and
- the dumped exports caused material injury to the Australian industry producing like goods; and
- continued dumping may cause further material injury to the Australian industry.

The Minister for Home Affairs (Minister) has accepted Customs and Border Protection's recommendations in relation to the dumping of the goods exported to Australia from Korea contained in REP 187. Notice of the Minister's decision was published in the *Commonwealth of Australia Gazette* and *The Australian* newspaper on 19 October 2012.

Particulars of the dumping margin established for the exporters and an explanation of the methods used to compare export prices and normal values to establish the dumping margin are set out in the following table:

Exporter	Dumping Margin	Method to establish dumping margin
LG Chemicals	3.26%	Weighted average export prices were compared with weighted average corresponding normal values over the investigation period in terms of paragraph 269TACB(2)(a) of the <i>Customs Act 1901</i> (the Act).

The effective rate of interim dumping duty imposed on imports of the goods from Korea is 3.26% and applies to all exporters from Korea.

To preserve confidentiality, the export price, normal value and non-injurious price 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.

Interested parties may seek a review of this decision by lodging an application with the Trade Measures Review Officer in accordance with the requirements in Division 9 of Part XVB of the Act within 30 days of the publication of the Minister's notice.

The TMRO can be contacted by phone, fax or mail:

Trade Measures Review Officer
c/- Australian Government Solicitor
Level 42 MLC Centre
19 Martin Place
Sydney NSW 2000
Phone: (02) 9581 7640
Fax: (02) 9581 7732

REP 187 is available on the internet at www.customs.gov.au. Copies of REP 187 are also available on request from International Trade Remedies, Customs and Border Protection, by telephone (02) 6245 5434 or fax (02) 6275 6990.

Enquiries concerning this notice may be directed to the case manager on telephone number (02) 6245 5434, fax number (02) 6275 6990 or email itrops1@customs.gov.au.

KIM FARRANT
National Manager
International Trade Remedies Branch
CANBERRA ACT
19 October 2012