



Customs Act 1901

Customs (Preliminary Affirmative Determinations) Direction 2015

Chrome-Plated Steel Bar

Exported from Italy and Romania

Investigation No. 319 into Alleged Dumping

Day 60 Status Report

Introduction

The purpose of this Status Report is to set out the reasons why I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have not made a preliminary affirmative determination (PAD) under subsection 269TD(1) of the *Customs Act 1901* (the Act) on 9 January 2016 being, 60 days after the initiation of the investigation into the alleged dumping of chrome-plated steel bar (chrome bar – the goods) exported to Australia from Italy and Romania.

This report and the findings contained herein reflect the status of the investigation at day 60. My findings may change as a result of further information, submissions, analysis or verification. Accordingly, I, at any time from day 60 onwards during the investigation, may make a PAD if I am satisfied of the requirements set out in subsection 269TD(1) of the Act.

Background

On 10 November 2015, I initiated an investigation into the alleged dumping of chrome bars following an application by Milltech Pty Ltd (Milltech) under section 269TB of the Act. Further details can be found in the public notice and *Anti-Dumping Notice 2015/130* at www.adcommission.gov.au.

Under subsection 269TD(1) of the Act, I may make a PAD at any time, not earlier than 60 days after I initiate an investigation for the publication of a dumping duty or countervailing duty notice, if I am satisfied:

- that there appears to be sufficient grounds for the publication of such a notice; or
- that it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

In accordance with the *Customs (Preliminary Affirmative Determinations) Direction 2015* (the Direction), 60 days after the initiation of such an investigation I must either make a PAD or provide a Status Report outlining the reasons why I have not made a PAD.

Reasons

In deciding whether to make a PAD on day 60 of this investigation, I have, in accordance with subsection 269TD(2) of the Act, had regard to:

- Milltech's application;
- submissions received by 17 December 2015 concerning publication of the dumping duty notice in response to the initiation of the investigation; and
- any other matters that I considered relevant.

Based on the above information considered at day 60 of the investigation I am not making a PAD because I am not satisfied that:

- under subsection 269TD(1)(a) of the Act there appears to be sufficient grounds for the publication of a dumping duty notice.

In particular, the Commission is still currently considering information recently provided by exporters that would allow sufficient information to calculate preliminary dumping margins. At the time of publication of this report, the Commission has not completed its preliminary consideration of whether chrome bars are being exported to Australia from Italy and Romania at dumped prices.

Therefore, based on the above, at the time of making this report, I am unable to establish that there appears to be sufficient grounds to establish that:

- the goods exported to Australia have been dumped (above negligible levels in accordance with section 269TDA).

Other considerations

Relevant matters – section 269TD(2)(b)

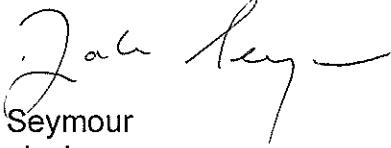
In accordance with the Direction and for the purposes of subsection 269TD(2)(b) of the Act, I have considered the desirability of providing relief to an injured Australian industry as quickly as possible, where warranted. I have decided it is not warranted to make a PAD after taking into consideration that the Commission finds there are insufficient grounds to establish dumping, and a causal link between dumping and material injury.

Reconsideration of making a PAD – section 269TDAA

After publishing this report, I must reconsider whether to make a PAD at least once prior to the publication of the Statement of Essential Facts (SEF) required under section 269TDAA of the Act. The SEF is due to be published on 28 February 2016. Prior to the publication or in the SEF, I will advise whether I made a PAD subsequent to this report and the reasons for my decision.

Anti-Dumping Commission Contact

Enquiries about this report may be directed to the case manager on telephone number 03 8539 2464, fax number +61 3 8539 2499 or at operations4@adcommission.gov.au.



Dale Seymour
Commissioner
Anti-Dumping Commission
11 January 2016

