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L A W Y E R S

International Trade • Customs • Commercial Law

Dr. Ross S. Becroft B.A., LL.B., M.Comm.Law, PhD

Louis H. Gross B. Juris., LL.B. Special Counsel

Level 17
390 St Kilda Road
Melbourne, Victoria, 3004
Australia
Telephone: (61 3) 9866 5666
Facsimile: (61 3) 9866 5644
Our Ref: RB:3146

Your Ref:

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BY EMAIL: itrops1@customs.gov.au

The Director
Operations 1
Anti-Dumping Commission
5th Floor, Customs House
5 Constitution Avenue
CANBERRA ACT 2601

Dear Sir

**Re: Revocation Review of Anti-Dumping Measures concerning Greyback Cartonboard Exported from the Republic of Korea (ITR 2010)
Submission in response to Statement of Essential Facts (SEF)**

We act for Visy Glama Pty Ltd ('Visy Glama') and have provided an earlier submission on 20 June 2013 advocating the revocation of the measures as of 16 May 2013 being the date of the initiation of the investigation.

Visy Glama notes that in the SEF the Commission has made a preliminary finding that the measures be revoked with effect from 8 June 2013 being the last date on which Amcor received orders for production at its Australian facility. Whilst this is not the earliest possible date, Visy Glama considers this preliminary finding to be reasonable.

We refer to the submissions made by ANZPAC and Ekman, which we understand to be an importer and agent for an exporter (Daehan/Klean Nara) respectively of greyback cartonboard from Korea. These submissions are referred to on pages 10 and 11 of the SEF.

The arguments by both of these parties in favour of deferring the date of revocation until 2014 are to the effect that:

- Daehan/Klean Nara cooperated with the 2010 investigation and abided by price undertakings;

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- They entered into long-term supply contracts;
- There are other sources of supply for importers outside Korea.

None of these arguments are relevant to the Commission's assessment of this matter.

From the time Amcor ceased taking orders there is effectively no local industry and the measures must be revoked, at the latest, from that date.

Further, any consideration of injury in revoking the measures can only relate to the impact upon the local industry and not to importers and/or exporters. Commercial considerations for these parties are not relevant and if the Commission were to defer the date of revocation, it would only have the effect of selectively protecting a foreign exporter.

Accordingly, Visy Glama is strong of the view that the Commission should not under any circumstances vary its preliminary findings.

Finally, given the nature of this revocation application, we request that the Commission finalise its investigation of this matter as soon as possible and refer its report to the Minister for a decision to enable interested parties to have certainty about these issues.

Yours faithfully
GROSS & BECROFT



Dr. Ross Becroft
Principal