



NON - CONFIDENTIAL

12 January 2015

Mr Bora Akdeniz
Manager
Anti-Dumping Commission
Customs House
1010 La Trobe Street
Docklands VIC 3008

Dear Mr Akdeniz

HOLLOW STRUCTURAL SECTIONS EXPORTED FROM THAILAND

This submission, on behalf of Pacific Pipe Public Co Ltd, (“Pacific Pipe”), requests termination of the captioned investigation as it relates to Pacific Pipe.

This investigation was initiated by the Anti-Dumping Commission (ADC) on, among other things, its consideration that there are reasonable grounds to support Austube Mills Pty Ltd’s (“ATM”) claim that hollow structural sections (“HSS”) has been exported from Thailand at dumped prices.¹ It is paramount that –

- a) the said ADC’s consideration is based on its assessment of normal values which are not relevant to Pacific Pipe’s exports; and
- b) verifiable evidence before the ADC proves that Pacific Pipe’s exports have not been made at dumped prices.

The normal values assessed by the Commission for the purpose of initiation, based on the theoretical weights of domestic sales and prices of unpainted circular hollow sections (“CHS”) and rectangular hollow sections (“RHS”) in those sales with certain adjustments², are substantially higher than the actual normal values of Pacific Pipe’s exports during the investigation period (“IP”) which are fairly comparable with export prices. The adjustments made by the Commission to ensure fair comparison with export prices are in relation to –

- port loading costs;
- containerisation costs;
- painting costs; and
- differences in weight tolerances.

¹ CON254, section 5.1

² CON254, section 5.5.3/4

As demonstrated by the verifiable evidence before the Commission, none of the abovementioned adjustments are applicable to Pacific Pipe's exports. Comments in respect of these adjustments follow:

Port Loading

Pacific Pipe [REDACTED] respect of its sales to Australia which were on FAS terms during the IP.

Containerisation

Pacific Pipe [REDACTED] during the IP.

Painting

Pacific Pipe sold painted HSS in the domestic market during the IP and the actual prices in these sales are taken into account in normal values of their exports of painted HSS.

Weight tolerances

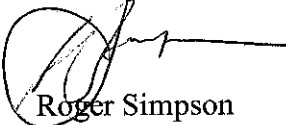
Pacific Pipe's domestic prices are in respect of [REDACTED] which are fairly comparable with their export prices of [REDACTED].

As also demonstrated by the verifiable evidence before the Commission, the actual dumping margin of Pan Pacific's exports of HSS during the IP is negligible.

As explained to you at the verification visit to Pacific Pipe's Australian customer, [REDACTED] the initiation of this investigation has caused cessation of Pacific Pipe's exports to Australia. The undumped prices offered by Pacific Pipe are unworkable in the Australian market because [REDACTED] cannot resell their products purchased at these prices because of the market prices of ATM and other foreign suppliers. And because of the extension of the timeframe of this investigation, this situation is likely to continue for some time and Pacific Pipe (and [REDACTED]) continues to be an innocent victim of this process.

Consequent upon the foregoing there should be early termination of this investigation as it relates to Pacific Pipe.

Yours sincerely,


Roger Simpson