



PUBLIC
FILE 3

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Ms Christie Sawczuk
Manager International Trade Remedies Branch
Australian Customs and Border Protection Service
5 Constitution Ave
CANBERRA ACT 2601

Dear Christie

Like Goods – IPA salt

I refer to your request seeking clarification of whether 62% IPA salt forms of glyphosate were like goods for the purpose of this inquiry. In our view, the 62% IPA salt and any other concentration of it or another salt (e.g. Potassium Salt, Ammonium Salt) (hereafter "salts of glyphosate") are like goods and within the scope of the inquiry.

Customs findings in respect of the "*Investigation Into the Alleged Dumping Of Glyphosate Exported from The People's Republic Of China*" (Trade Measures Branch Report 45, 21 January 2002) was that all forms of Glyphosate were like goods within the anti-dumping context because:

- (a) "there were no basic differences in the chemical characteristics and properties. Although glyphosate acid constitutes an intermediate stage in the production of formulated product, glyphosate acid contains the essential chemical properties of formulated glyphosate; and
- (b) all forms are dedicated to the same ultimate use (as a herbicide) and cannot be used for other purposes."

The report also observes that similar findings were made by the European Union in respect of its inquiry into the alleged dumping of Glyphosate in the late 1990s.

Nufarm believes that these findings would be equally valid in the context of this inquiry and see no basis for adopting a different approach. However, for this inquiry we did specifically request that Glyphosate Acid be excluded on the basis that it is no longer manufactured in Australia.

With respect to the salts of glyphosate, they are manufactured in Australia and have been sold during the period covered by the inquiry. The physical characteristics of the salts of glyphosate are essentially identical to those of the formulated products (please see the attached table). Salts of glyphosate are herbicides falling within HS Code 3808.93.00. In a commercial sense, as highlighted by Agronomiq's submission to Customs, an anti-dumping measure with respect to one product in isolation is likely to result in the substitution of one product for the other and potentially circumvent any measure.



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If you have any question regarding this issue please contact me on 03 8282 1444.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Bernard Lee', with a long, wavy horizontal line extending to the right.

Bernard Lee
Manager
Industry and Government Affairs



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FILE 1

PHYSICAL CHARACTERISTICS

Chemical property	Unit of measure	Glyphosate acid	Glyphosate isopropylamine salt	Glyphosate herbicide 360 g/L
<i>Molecular weight</i>	g/mol	169.1	228.2	228.2
<i>Form</i>		colourless crystal	white powder	clear amber liquid
<i>melting point</i>	°C	189.5	143-164 and 189-223	< 0
<i>boiling point</i>	°C	decomp>200	decomposes without boiling	>100
<i>vapour pressure</i>	mPa(25°C)	0.0131	0.002	not available
<i>Density</i>	g/mL	1.705	1.482	1.169
<i>solubility in water</i>	g/L	10.5	1050	Complete
<i>Flash point</i>	°C	does not flash	does not flash	does not flash