



12 December 2011

Mr John Bracic  
Director  
International Trade Remedies Branch  
Australian Customs and Border Protection Service  
Customs House  
5 Constitution Avenue  
Canberra ACT 2600

Dear Mr Bracic,

**QUICKLIME FROM THAILAND – LIKE GOODS**

We refer to Moulis Legal's letter of 1 December 2011 concerning the likeness of quicklime exported to Australia by Chememan Co Ltd ("Chememan") and quicklime produced by Cockburn Cement Ltd ("Cockburn").

Moulis Legal's submission that Cockburn does not produce like goods to the quicklime exported to Australia by Chememan has no merit for the following reasons:

- Both Chememan's and Cockburn's quicklime are produced from the same raw material, ie limestone. The source of the raw material is irrelevant.
- Cockburn's quicklime is not identical to Chememan's quicklime, but it has characteristics closely resembling that of Chememan's.
- In terms of physical likeness, the physical characteristics closely resemble each other – the difference in chemical composition is immaterial and does not impact on the commercial or functional likeness of the products.
- The products are commercially and functionally like and are produced by the same production process.

The "precedents" cited by Moulis are irrelevant. They are cases involving products produced from different raw materials and/or having different end uses. In this case the products are produced from the same raw material (limestone) and have the same end uses.

Yours sincerely,

Roger Simpson