



*Customs Act 1901 – Part XV B*

## **Anti-Dumping Notice No. 2020/039**

**A4 copy paper**

**Exported to Australia from  
the Federative Republic of Brazil,  
the People’s Republic of China,  
the Republic of Indonesia (except by PT. Indah Kiat Pulp &  
Paper Tbk, PT. Pabrik Kertas Tjiwi Kimia Tbk and PT. Pindo  
Deli Pulp & Paper Mills) and the Kingdom of Thailand**

**Initiation of a Review of Anti-Dumping Measures No. 551**

***Notice under section 269ZC(4) of the Customs Act 1901***

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated a review of the anti-dumping measures applying to A4 copy paper (the goods) exported to Australia from the Federative Republic of Brazil (Brazil), the People’s Republic of China (China), the Republic of Indonesia (Indonesia) (except by PT. Indah Kiat Pulp & Paper Tbk, PT. Pabrik Kertas Tjiwi Kimia Tbk and PT. Pindo Deli Pulp & Paper Mills) and the Kingdom of Thailand (Thailand) (collectively, the subject countries).

The review will examine whether the variable factors relevant to the taking of the anti-dumping measures as they affect exporters of the goods from the subject countries should be varied.

### **The goods**

The goods subject to the anti-dumping measures are:

uncoated white paper of a type used for writing, printing or other graphic purposes, in the nominal basis weight range of 70 to 100 gsm and cut to sheets of metric size A4 (210 mm x 297 mm) (also commonly referred to as cut sheet paper, copy paper, office paper or laser paper).

The applicant at the time of the original investigation supplied the following additional information to clarify the scope of the goods description:

The paper is not coated, watermarked or embossed and is subjectively white. It is made mainly from bleached chemical pulp and/or from pulp obtained by a mechanical or chemi-mechanical process and/or from recycled pulp.

The goods are generally, but not exclusively, classified to tariff subheading 4802.56.10 (statistical codes 03 and 09) in Schedule 3 to the *Customs Tariff Act 1995*.

These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes is for reference only and do not form part of the goods description.

### **Background to the measures**

The anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice, were initially imposed on 19 April 2017 by the relevant Minister after consideration of *Anti-Dumping Commission Report No. 341* (REP 341).<sup>1</sup> The dumping duty notice applies to all exporters of A4 copy paper from the subject countries except PT. Pabrik Kertas Tjiwi Kimia Tbk, whereas the countervailing duty notice applies to all exporters of A4 copy paper from China except Asia Symbol (Guangdong) Paper Co., Ltd and Greenpoint Global Trading (Macao Commercial Offshore) Ltd; and UPM (China) Co., Ltd and UPM Asia Pacific Pte Ltd.

On 12 March 2020, the Commissioner initiated a review of the anti-dumping measures applying to A4 copy paper exported to Australia from Indonesia by PT. Indah Kiat Pulp & Paper Tbk and Pt Pindo Deli Pulp & Paper Mills (Review 547).<sup>2</sup> This review was initiated at the request of the Minister for Industry, Science and Technology (the Minister) pursuant to section 269ZA(3) the *Customs Act 1901* (the Act).

There have been no previous reviews of the anti-dumping measures since the imposition of the measures on 19 April 2017.

### **The current review**

An application was lodged by Paper Australia Pty Ltd under section 269ZA(1) of the Act for a review of the dumping duty notice in relation to the goods exported to Australia from the subject countries, and in relation to the countervailing duty notice in relation to the goods exported from China.

Particulars of the reasons for the decision to undertake this review are outlined in *Anti-Dumping Commission Consideration Report No. 551*, which has been placed on the public record.

The review period is 1 January 2019 to 31 December 2019 and covers all exporters of the goods from the subject countries except PT. Indah Kiat Pulp & Paper Tbk, PT. Pabrik Kertas Tjiwi Kimia Tbk and PT. Pindo Deli Pulp & Paper Mills. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, I will recommend to the Minister that the dumping duty notice and the countervailing duty notice:

- i. remain unaltered; or
- ii. have effect as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that the anti-dumping measures are no longer warranted, that party may lodge an application no later than **23 May 2020**<sup>3</sup> to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

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<sup>1</sup> Anti-Dumping Notice (ADN) Nos. [2017/39](#) and [2017/40](#) refer. [REP 341](#) is available on the Commission's website.

<sup>2</sup> ADN No. [2020/028](#) refers.

<sup>3</sup> As this day is a Saturday, the due date becomes the next business day (25 May 2020).

## **Future reviews**

Under section 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measure or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty and countervailing duty notices the subject of this review cannot be made for a period of 12 months.

## **Proposed model control code structure**

On 9 August 2018, the Commission advised in ADN No. 2018/128 that a model control code (MCC) structure would be implemented in new investigations, reviews of measures generally or continuations for cases initiated after this date.<sup>4</sup>

Attachment A to this notice outlines the Commission's proposed MCC structure.

Interested parties can make submissions on whether the proposed MCC structure should be accepted by the Commission. Any submission relevant to the MCC structure should be supported by evidence that shows distinguishable and material differences in price, such as price extras lists. All submissions with respect to the proposed MCC structure will be considered by the Commission. In the absence of further evidence or submissions, the Commission may adopt the MCC structure as proposed.

Submissions should be made as soon as is practicable, but no later than **23 May 2020**<sup>5</sup>, being the day submissions concerning this review are due.

## **Public Record**

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

## **Lodgement of submissions**

Interested parties, as defined by section 269T(1) of the Act, are invited to lodge written submissions concerning this review no later than the close of business on **23 May 2020**<sup>6</sup>, addressed to:

The Director  
Investigations 2  
Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601

or email [investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au), or fax to +61 3 8539 2499.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date mentioned above if to do so would,

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<sup>4</sup> Full guidance regarding the Commission's MCC structure is provided in ADN No. [2018/128](#).

<sup>5</sup> As this day is a Saturday, the due date becomes the next business day (25 May 2020).

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in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY". Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

### **Statement of Essential Facts**

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Minister within the legislative timeframe. A Statement of Essential Facts (SEF) will be placed on the public record by **4 August 2020**, or by such later date as allowed in accordance with section 269ZHI of the Act.<sup>7</sup> The SEF will set out the essential facts on which I propose to base a recommendation to the Minister. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

### **Report to the Minister**

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Minister. A recommendation to the Minister will be made in a report on or before **18 September 2020** (or such later date as allowed under section 269ZHI of the Act).

### **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2424 or email at [investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

16 April 2020

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<sup>7</sup> On 14 January 2017, the powers and functions of the Minister under section 269ZHI of the Act were delegated to the Commissioner (ADN No. 2017/10 refers).

## ATTACHMENT A

### Proposed MCC structure

Details of the MCC structure for the goods are detailed in the table below.

Category	Sub-category	Identifier	Sales Data	Cost data
Weight (grams per square metre (gsm))	70 gsm	70	Mandatory	Mandatory
	> 71 gsm to 80 gsm	80		
	> 81 gsm to 85 gsm	85		
	> 85 gsm to 90 gsm	90		
	> 91 gsm to 100 gsm	100		
Recycled content	100%	R100	Mandatory	Mandatory
	50% to 99%	R50		
	30% to 49%	R30		
	1% to 29%	R10		
	0%	N		