

PUBLIC RECORD



Australian Government  
Department of Industry,  
Innovation and Science

Anti-Dumping  
Commission

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*Customs Act 1901 – Part XVB*

**A4 Copy Paper**

**Exported from the Federative Republic of Brazil, the People's Republic of China, the Republic of Indonesia and the Kingdom of Thailand**

**Findings in relation to a dumping investigation**

*Public notice under subsections 269TG(1) and (2) of the Customs Act 1901*

*Anti-Dumping Notice (ADN) 2017/39*

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed the investigation into the alleged dumping of A4 Copy Paper exported to Australia from the Federative Republic of Brazil (Brazil), the People's Republic of China (China), the Republic of Indonesia (Indonesia) and the Kingdom of Thailand (Thailand).

**The goods:**

The goods the subject of the investigation (the goods) 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 (210mm x 297mm) (also commonly referred to as cut sheet paper, copy paper, office paper or laser paper).*

**Further information on the goods:**

*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 the following tariff subheadings in Schedule 3 to the *Customs Tariff Act 1995*:

- 4802.56.10, statistical code 03; and
- 4802.56.10, statistical code 09.

These tariff classifications and statistical codes may include goods that are both subject and not subject to this investigation. The listing of these tariff classifications and statistical codes are for convenience or reference only and do not form part of the goods description.

The goods are not subject to customs duty if exported from China, Indonesia and Thailand and are subject to 5 per cent customs duty if exported from Brazil.

The Commissioner reported his findings and recommendations to me in *Anti-Dumping Commission Report No. 341* (REP 341). REP 341 outlines the investigation carried out and recommends the publication of a dumping duty notice in respect of the goods. I have considered REP 341 and accepted the Commissioner's recommendations and reasons for the recommendations, including all material findings of fact or law on which the Commissioner's recommendations were based, and particulars of the evidence relied on to support the findings. This report is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

The method used to compare export prices and normal values to determine whether dumping has occurred and to establish the dumping margin for the exporters listed below was to compare the weighted average of export prices with the weighted average of corresponding normal values over the investigation period pursuant to subsection 269TACB(2)(a) of the *Customs Act 1901* (the Act).

Particulars of the dumping margins determined and how normal values and export prices were established under the Act are specified in the table below.

Country	Exporter	Export Price	Normal Value	Dumping Margin
Brazil	International Paper do Brasil Ltda	269TAB(1)(a)	269TAC(1)	2.9%
	Uncooperative and all other exporters	269TAB(3)	269TAC(6)	2.9%
China	UPM (China) Co., Ltd	269TAB(1)(a) 269TAB(1)(b)	269TAC(1)	34.4%
	Asia Symbol (Guangdong) Paper Co., Ltd	269TAB(1)(a)		3.1%
	Uncooperative and all other exporters	269TAB(3)	269TAC(6)	34.4%
Indonesia	PT Indah Kiat Pulp & Paper Tbk	269TAB(1)(c)	269TAC(2)(c)	35.4%
	PT Pindo Deli Pulp and Paper Mills			38.6%
	Riau Andalan Kertas			12.6%
	Uncooperative and all other exporters (except Pt Pabrik Kertas Tjiwi Kimia Tbk)	269TAB(3)	269TAC(6)	45.1%
Thailand	Double A (1991) Public Company Ltd	269TAB(1)(a)	269TAC(1)	13.4%
	Phoenix Pulp & Paper Public Co., Ltd			18.1%
	Uncooperative and all other exporters	269TAB(3)	269TAC(6)	23.2%

I, CRAIG LAUNDY, Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science,<sup>1</sup> have considered, and accepted, the recommendations of the Commissioner, the reasons for the recommendations, the material findings of fact on which the recommendations are based and the evidence relied on to support those findings in REP 341.

I am satisfied, as to the goods that have been exported to Australia, that the amount of the export price of the goods is less than the normal value of those goods and because of that, material injury to the Australian industry producing like goods would or might have been caused if security had not been taken. Therefore under subsection 269TG(1) of the Act, I **DECLARE** that section 8 of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act) applies to:

- (i) the goods; and
- (ii) subject to section 45 and subsection 269TN(2) of the Act, like goods that were exported to Australia from China and Thailand for home consumption on or after 30 September 2016, which is when the Commonwealth took securities following the Commissioner's Preliminary

<sup>1</sup> On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this decision the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

Affirmative Determination (PAD) published on 29 September 2016 under section 269TD of the Act, but before the publication of this notice; and

- (iii) subject to section 45 and subsection 269TN(2) of the Act, like goods that were exported to Australia from Brazil and Indonesia for home consumption on or after 7 November 2016, which is when the Commonwealth took securities following the Commissioner's PAD published on 4 November 2016 under section 269TD of the Act, but before the publication of this notice.

I am also satisfied that the amount of the export price of like goods that have already been exported to Australia is less than the amount of the normal value of those goods, and the amount of the export price of like goods that may be exported to Australia in the future may be less than the normal value of the goods and because of that, material injury to an Australian industry producing like goods has been caused. Therefore under subsection 269TG(2) of the Act, I DECLARE that section 8 of the Dumping Duty Act applies to like goods that are exported to Australia after the date of publication of this notice.

This declaration applies in relation to all exporters of the goods and like goods from Brazil, China, Indonesia (except Pt Pabrik Kertas Tjiwi Kimia Tbk) and Thailand.

The considerations relevant to my determination that dumped goods have materially injured the Australian A4 Copy Paper industry are the size of the dumping margins, the effect of dumped imports on prices in the Australian market in the form of price undercutting and the consequent impact on the Australian industry including:

- loss of sales volume;
- price suppression;
- price depression;
- reduced profits and profitability; and
- reduced revenue from A4 copy paper.

In making my determination, I have considered whether the Australian industry is being injured by a factor other than the exportation of dumped goods, and I have not attributed injury due to other factors to the exportation of those dumped goods.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

Particulars of the export prices, non-injurious prices and normal values of the goods (as ascertained in the confidential tables to this notice) will not be published in this notice as they may reveal confidential information.

Clarification about how measures and securities are applied to 'goods on the water' is available in ACDN 2012/34, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

REP 341 and other documents included in the public record may be examined at the Anti-Dumping Commission office 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).

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2447, fax number +61 3 8539 2499 or email at [operations2@adcommission.gov.au](mailto:operations2@adcommission.gov.au).

Dated this 18<sup>th</sup> day of April 2017



CRAIG LAUNDY

Assistant Minister for Industry, Innovation and Science

Parliamentary Secretary to the Minister for Industry, Innovation and Science