



Australian Government

Australian Customs and
Border Protection Service

AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2010/15

Sodium hydrogen carbonate (sodium bicarbonate)

Exported from the People's Republic of China

Initiation of continuation inquiry

The Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) will inquire into whether the continuation of anti-dumping measures in respect of sodium hydrogen carbonate (sodium bicarbonate), exported from the People's Republic of China (China) is justified. The inquiry will commence on 30 April 2010.

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are sodium hydrogen carbonate, also referred to as sodium bicarbonate or baking soda, which can be manufactured via the natural alkali method or the Solvay method.

The goods are classified under tariff subheading 2836.30.00, statistical code 27 in Schedule 3 to the *Customs Tariff Act 1995*. The rate of Customs duty on sodium bicarbonate is 'free' for exports from China.

The current anti-dumping measures were initially imposed by public notice on 2 November 2005 following the then Minister for Customs and Border Protection's (the Minister) consideration of Trade Measures Report No. 98. The measures are in the form of anti-dumping duties on all exporters from China.

On 20 July 2006, Customs and Border Protection initiated a review of the measures on sodium bicarbonate at the request of the Minister. Revised measures were published on 14 May 2006 after the Minister accepted the recommendations of Trade Measures Report No. 119.

Interested parties are invited to lodge written submissions concerning the continuation of the measures not later than **9 June 2010** with:

The Director
Operations 3
Customs and Border Protection
Trade Measures Branch
Customs House
5 Constitution Avenue
Canberra ACT 2601

or by email tmops3@customs.gov.au ,or by facsimile number 02 6275 6990.

Interested parties wishing to participate in the investigation must ensure that submissions are lodged promptly. Interested parties should note that the CEO is not

obliged to have regard to a submission received by Customs and Border Protection after the end of the period mentioned above if to do so would, in the CEO's opinion, prevent the timely placement of the statement of essential facts (SEF) on the public record.

Interested parties may reply to matters raised by other parties during the course of the investigation and in response to the SEF.

The CEO must maintain a public record of each inquiry. The public record must contain, among other things, a copy of all submissions from interested parties (letters and electronic mail are generally regarded as "submissions" if they contain information relevant to the inquiry).

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:

- 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
- satisfy the CEO 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 "In-Confidence".

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above. In either case, interested parties must provide two copies of each for the public record.

A SEF on which the CEO proposes to base a recommendation to the Minister for Home Affairs (the Minister) will be placed on the public record by 18 August 2010, or such longer period as the Minister allows under s 269ZHI of the *Customs Act 1901* (the Act). Interested parties are invited to lodge submissions in response to the SEF within 20 days of that statement being placed on the public record. Submissions to the SEF should also be lodged with Customs and Border Protection at the above mail, fax or email addresses.

A report and recommendation to the Minister will be made on or before 2 October 2010 (or such longer period as the Minister allows under s. 269ZHI of the Act).

Unless the Minister, after considering that report, decides to take steps to secure the continuation of the anti-dumping measures, they will expire on 2 November 2010. Therefore, on and from 3 November 2010, the anti-dumping measures would no longer apply.

Particulars of the reasons for the decision to initiate this inquiry are shown in Consideration Report No 160 (CON 160) held on the public record. Interested parties wishing to examine the public record may do so on the internet at adpr.customs.gov.au/Customs or at Customs House, 5 Constitution Avenue, Canberra ACT during business hours by contacting Trade Measures office management on telephone number 02 6275 6547. CON 160 and all Australian Customs Dumping Notices are also available on the Customs and Border Protection website at www.customs.gov.au.

Enquiries about this notice may be directed to the case team on telephone number 02 6245 5453 or email tmops3@customs.gov.au.

Geoff Johannes
National Manager
Trade Measures Branch

28 April 2010