



Australian Government

**Australian Customs and
Border Protection Service**

AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2009/42

Silicone emulsion concrete admixtures

Exported from the United States of America

Preliminary Affirmative Determination and Imposition of Securities

CUSTOMS ACT 1901 – PART XV B

On 14 August 2009 the Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) initiated an investigation following an application lodged by Tech-Dry Building Protection Systems Pty Ltd, the Australian industry producing silicone emulsion concrete admixtures (SECA). The application requested the publication of a dumping duty notice in respect of SECA exported to Australia from the United States of America (USA).

The goods the subject of the application (the goods) are silicone emulsion admixtures for concrete.

In accordance with s.269TD(4)(a) of the *Customs Act 1901* (the Act), on 26 November 2009 the CEO gave public notice in *The Australian* newspaper that a preliminary affirmative determination has been made that there appears to be sufficient grounds for the publication of a dumping duty notice in respect of the goods exported to Australia from the USA.

On 26 November 2009 the CEO also gave public notice, in accordance with s.269TD(5) of the Act, that the officer of Customs taking securities is satisfied that it is necessary to require and take securities to prevent material injury to the Australian industry occurring while the investigation continues.

Customs and Border Protection will require and take securities under s.42 of the Act in respect of any interim dumping duty that may become payable in respect of the goods from the USA entered for home consumption on or after 26 November 2009.

Customs and Border Protection made a preliminary comparison of weighted average normal values to weighted average export prices and calculated a dumping margin in the range of 80% to 90%.

In reaching this preliminary decision, Customs and Border Protection is satisfied that the goods appear to be dumped and appear to have caused material injury to the Australian industry producing like goods. Preliminary affirmative determination report No. 150 (PAD 150) was placed on the public record on 26 November 2009.

PAD 150 is available online at www.customs.gov.au, or by contacting Trade Measures Branch office management on (02) 6275 6547.

The CEO is due to report to the Minister for Home Affairs (the Minister) with recommendations on or before 17 March 2010. The Minister will then decide whether to publish a dumping duty notice and, if relevant, the level of the measures to be imposed. Depending on the Minister's decision, any securities taken may be converted to interim dumping duty or acquitted.

Enquiries concerning this notice may be directed to the case manager on telephone number (02) 6275 6393, fax number (02) 6275 6990 or email tmops1@customs.gov.au.

Trish Bridge
A/g National Manager
Trade Measures Branch
CANBERRA ACT

26 November 2009