



Australian Government

**Australian Customs and
Border Protection Service**

AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2009/26

**Polyvinyl chloride homopolymer resin (PVC) exported
from the Republic of Korea
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 PVC exported from the Republic of Korea (Korea) is justified. The inquiry will commence on 24 August 2009.

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are PVC. The goods are classified to the tariff subheading 3904.10.00, statistical code 18, in Schedule 3 of the *Customs Tariff Act 1995*.

The then Minister responsible for Customs and Border Protection, following consideration of Trade Measures Report No. 10, initially imposed the measures on 23 March 2000. After ministerial consideration of Trade Measures Report No. 91 in 2005, the measures were continued for a further five years.

On 18 May 2009, the CEO gave public notice that anti-dumping measures applying to imports of the goods from Korea were due to expire. Australian Vinyls Corporation Limited, the Australian industry producing like goods, lodged an application for the continuation of anti-dumping measures on 17 July 2009.

During the inquiry, Customs and Border Protection will examine whether the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping and the material injury that the anti-dumping measures are intended to prevent.

Interested parties are invited to lodge written submissions concerning the continuation of the measures with:

The Director,
Operations 3
Trade Measures Branch
Customs House
5 Constitution Avenue
Canberra ACT 2601

or by facsimile number 02 6275 6888, or by email tmops3@customs.gov.au, not later than 5 October 2009.

Confidential submissions must be clearly marked "in-confidence" and be accompanied by two non-confidential versions suitable for placement on the public record. All non-confidential submissions will be placed on the public record for this inquiry together with a copy of all relevant correspondence between Customs and Border Protection and other persons.

A statement of the essential facts (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 14 December 2009 (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 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 by 26 January 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 23 March 2010. Therefore, on and from 24 March 2010, the anti-dumping measures would no longer apply.

Particulars of the reasons for the decision to initiate this inquiry are shown in a report 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.

Enquiries about this notice may be directed to the case manager on telephone number 02 6275 6701 or e-mail tmops3@customs.gov.au. The report and all dumping notices are available on the Customs and Border Protection's website at www.customs.gov.au.

Geoffrey Johannes
National Manager
Trade Measures Branch

24 August 2009