



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2006/07

Certain mobile garbage bins from Malaysia - Preliminary Affirmative Determination and imposition of securities

Section 269TD of the *Customs Act 1901*

The Australian Customs Service (Customs) commenced an investigation into the alleged dumping of certain mobile garbage bins exported to Australia from Malaysia on 31 October 2005.

The goods under consideration (GUC) in this investigation are Mobile Garbage Bins (MGBs), whether exported assembled or unassembled, of 120 litre and 240 litre nominal capacities, including but not limited to MGBs meeting European Standard EN840. MGBs typically consist of a bin body, bin lid, two wheels, an axle, lid pins, and in some cases a bin divider. The imported body component (with or without a limited number of other components) is also considered the GUC. MGBs in other nominal sizes (e.g. 80 litre, 140 litre and 360 litre) are excluded from the investigation.

The goods are classified to tariff subheading 3924.90.00 in Schedule 3 of the *Customs Tariff Act 1995* and statistical code 09. The applicants for the publication of a dumping duty notice are Nylex Limited and SULO MGB Australia Pty Ltd.

The delegate of the Chief Executive Officer of Customs has made a preliminary affirmative determination (PAD), in accordance with s. 269TD of the *Customs Act 1901* (the Act), that there appears to be sufficient grounds for the publication of a dumping duty notice.

In order to prevent material injury occurring to the Australian industry while the investigation continues, securities under s. 42 of the Act will be required and taken in respect of any interim dumping duty that may become payable in respect of the goods from Malaysia entered for home consumption on or after 27 February 2006.

Particulars of the dumping margins established and the method used to establish those margins are set out below:

Exporter	Dumping margin	Method used to establish dumping margin
Schaefer Systems International Pte Ltd	12.09%	Comparison of weighted average export prices with weighted average normal values over the investigation period
Sulo Asia Pacific Enterprises Pte Ltd	In the range of 10-20%	Comparison of weighted average export prices with weighted average normal values over the investigation period
Other exporters	In the range of 10-20%	Comparison of weighted average export prices with weighted average normal values over the investigation period

In reaching this preliminary decision, Customs found that the dumping has caused material injury to the Australian industry producing like goods in the form of price undercutting, price suppression, price depression, lost sales volume, lost market share, reduced profits and profitability, reduced return on investment and an underutilisation of production capacity.

A copy of the PAD report was placed on the public record on 27 February 2006. The public record may be examined by interested parties by contacting Trade Measures office management on telephone number 02 6275 6547.

Statement of essential facts (SEF) no. 108 was placed on the public record on 20 February 2006. The SEF contains the material findings of fact on which Customs proposes to base its final recommendations to the Minister. Interested parties have an opportunity to respond to the SEF. Submissions in response to the SEF should be made to Customs by 13 March 2006.

The SEF and PAD report are also available on the Internet via www.customs.gov.au.

Customs is due to report to the Minister on 4 April 2006. The Minister will then decide whether measures are to be imposed and if so, the level of the measures. Depending on the Minister's decision, preliminary measures may be converted to interim dumping duty or refunded.

Enquiries concerning this notice may be directed to the Manager, Trade Measures Operations 2 on telephone number (02) 6275 5433 or fax number (02) 6275 6888.

Andrew Rice
National Manager
Trade Measures Branch
CANBERRA ACT

27 February 2006