



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2006/30

SODIUM HYDROGEN CARBONATE (SODIUM BICARBONATE)

EXPORTED FROM

THE PEOPLE'S REPUBLIC OF CHINA

REVIEW OF ANTI-DUMPING MEASURES

CUSTOMS ACT 1901 - PART XV B

The Australian Customs Service (Customs) has initiated a review of the anti-dumping measures applying to sodium bicarbonate exported to Australia from the People's Republic of China (China).

A notice advising initiation of this review was published in *The Australian* newspaper on 20 July 2006.

The Goods

The goods under review are sodium hydrogen carbonate, also known as sodium bicarbonate, or baking soda.

The goods are classified to tariff subheading 2836.30.00, statistical code 27 of the *Customs Tariff Act 1995*.

The rate of duty is 'free' for exports from China.

Background to measures

In February 2005 Penrice Soda Products Pty Ltd (Penrice), the sole Australian producer of sodium bicarbonate, applied for the publication of a dumping duty notice in relation to sodium bicarbonate exported to Australia from China. Customs conducted an investigation and found dumping had caused material injury to Penrice. Anti-dumping measures have applied to exports of sodium bicarbonate to Australia from China since 22 August 2005.

The current review

The Minister for Justice and Customs (the Minister) has requested that Customs initiate a review of the current anti-dumping measures applying to sodium bicarbonate. The Minister considers that one or more of the variable factors (export price, normal value and the non-injurious price) relevant to the taking of the measures may have changed.

Lodgement of submissions

Interested parties (as defined by s. 269T(1) of the *Customs Act 1901* (the Act)) are invited to lodge submissions concerning the review no later than the close of business on 29 August 2006 addressed to:

The Director
Trade Measures, Operations 3
Australian Customs Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

Interested parties wishing to participate in the review must ensure that their submissions are lodged promptly. Interested parties should note that the Chief Executive Officer of Customs (the CEO) is not obliged to have regard to a submission received by Customs 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 on the public record.

Customs must maintain a public record of the review. 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 review).

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.

The public record may be examined at:

Trade Measures Branch
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

To access the public record, contact Trade Measures office management on telephone number (02) 6275 6547.

Statement of essential facts

The dates specified in this notice for lodging must be observed to enable Customs to report to the Minister within the legislative timeframe. A statement of essential facts (SEF) will be placed on the public record by 7 November 2006 (or by such later date as the Minister may allow). The statement will set out the material findings of fact on which Customs proposes to base its recommendations to the Minister. That statement will invite interested parties to respond to the issues raised within 20 days.

Report to the Minister

Submissions received in response to the statement will be taken into account in completing the report and recommendation to the Minister. A recommendation to the Minister will be made in a report on or before 22 December 2006 (or by such later date as the Minister may allow).

Customs contact

Enquiries concerning this notice may be directed to the review manager on telephone (02) 6275 6016, facsimile (02) 6275 6990 or email to tmops3@customs.gov.au.

SUE PITMAN
A/g National Director
Cargo & Trade Division

20 July 2006