



**AUSTRALIAN  
CUSTOMS SERVICE**

**Australian Customs Dumping Notice**  
**No.97/082**

**CUSTOMS ACT 1901 - PART XVB**

**INITIATION OF AN INVESTIGATION INTO THE  
ALLEGED DUMPING OF CLEAR FLOAT GLASS FROM INDONESIA.**

The Australian Customs Service (Customs) has initiated an investigation into an application lodged by Pilkington (Australia) Limited for a dumping duty notice in respect of clear float glass in the nominal thickness range 3mm to 12mm exported to Australia by PT Muliaglass from Indonesia.

The application alleges that the goods have been exported to Australia at dumped prices and because of that are causing material injury and threaten material injury to the Australian industry.

The Australian industry alleges that it has suffered injury by reason of the following factors:

- \* price depression;
- \* price undercutting;
- \* price suppression;
- \* loss of market share; and
- \* loss of sales revenue and reduced profitability to unsatisfactory levels which do not offer a satisfactory return on investment.

The goods under investigation are clear float glass, in the nominal thickness range 3mm to 12mm (actual thickness range 2.8mm to 12.2mm), in a variety of sizes including factory run size (FRS) glazing stock size (GSS) and cut to size (CTS) and are classified to subheading 7005.29.00 statistical codes 02, 03, 04, 05 and 06 of the Customs Tariff Act 1995.

A notice under s. 269TC(4) of the *Customs Act 1901* advising the initiation of this investigation was published in the *Commonwealth of Australia Gazette* and the *Australian Financial Review* on 19 November 1997.

In its investigation, Customs will examine exports to Australia of the goods under consideration during the period 1 July 1995 to the latest available. Customs will invite all known interested parties to provide written submissions in response to a questionnaire. Any party not contacted and who wishes to have its views considered should also complete the relevant questionnaire.

Interested parties should note that in arriving at its preliminary finding Customs must consider whether:

- (a) the export price of like goods that have already been exported to Australia is less than the normal value of those goods; and
- (b) the export price of like goods that may be exported to Australia in the future may be less than the normal value of the goods; and
- (c) because of that, material injury to the Australian industry producing like goods has been or is being caused or is threatened.

Interested parties located in Australia should lodge submissions no later than the close of business on 9 January 1997 with:

The Director  
Dumping Operations 1  
Australian Customs Service  
Customs House  
5 Constitution Avenue  
CANBERRA ACT 2601

Overseas interests located in Indonesia should lodge submissions no later than the close of business on 9 January 1997 with:

Senior Australian Customs Representative  
Australian Embassy  
2-1-14 MITA  
Minato - Ku  
Tokyo 108  
JAPAN

Any submissions provided in confidence must be clearly marked "confidential". The confidential material must be accompanied by two copies of a non-confidential summary, otherwise a statement is to be provided explaining why this is not possible.

The attention of interested parties is drawn to the World Trade Organisation Anti-Dumping Agreement, Article 6.5.2 which states:

*"If the authorities find that a request for confidentiality is not warranted and if the supplier of the information is either unwilling to make the information public or to authorise its disclosure in generalised or summary form, the authorities may disregard such information unless it can be demonstrated to their satisfaction from appropriate sources that the information is correct."*

The above procedures for dealing with confidential information are reflected in s. 269ZJ of the Customs Act.

One copy of the non-confidential version will be placed on the public file to be made available to interested parties. The public file may be examined at:

Dumping Office Management  
Australian Customs Service  
Customs House  
5 Constitution Avenue  
CANBERRA ACT 2601

To access the public file contact Mr Fred Varela on telephone no (02) 6275 6057.

ACDN 96/004 provides further details about confidentiality and the public file system.

The dates specified in this Notice for lodging submissions must be observed to enable Customs to make a preliminary finding within 100 days. In this investigation the due date for the finding is 27 February 1998. At that time Customs will publish a notice as to whether there are sufficient grounds for the publication of a dumping duty notice in respect of the goods under consideration. If the allegations are proven, provisional measures in the form of securities under s. 42 of the Customs Act may be imposed.

Customs is bound by legislation to complete its investigation within the specified timeframe. Accordingly, Customs may not be in a position to consider any submission lodged later than 9 January 1998. Interested parties may seek an extension for lodgement of a submission provided the request is in writing and is reasonable and practical given the circumstances of the investigation.

Parties responding by 9 January 1998 will have an opportunity to lodge a supplementary submission in reply to matters raised by other parties. The due date for any supplementary submissions is 2 February 1998.

Any inquiries about this Notice should be directed to Glen Jones, telephone 02 6275 6295 or facsimile number 02 6275 6990.

(Mark Harrison)  
National Manager Dumping  
FOR CHIEF EXECUTIVE OFFICER  
CANBERRA, ACT

19 November 1997

(Dumping Operations - C97/08380)