



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2006/42

SODIUM METABISULPHITE

EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

Initiation of a review of anti-dumping measures

Section 269ZC of the *Customs Act 1901*

The Australian Customs Service (Customs) has commenced a review in relation to anti-dumping measures applying to sodium metabisulphite (SMBS) exported from the People's Republic of China (China) to Australia.

The goods covered by this notice are sodium metabisulphite (also known as sodium metabisulfite) (SMBS) imported into Australia under tariff classification 2832.10.00/25.

The rate of duty for the goods exported from China is free.

A notice under s. 269ZC of the *Customs Act 1901* (the Act) advising initiation of this review was published in *The Australian* newspaper on 9 October 2006.

Background to Measures

Anti-dumping measures were imposed on 4 June 2002 following Trade Measures Report No. 50. The measures apply to all exports of SMBS from China.

There have been no reviews of anti-dumping measures for SMBS since the imposition of measures.

The Review

The review, following an application made by an Australian importer Teksol Pty Ltd (Teksol) under s. 269ZA of the Act, will examine whether an Australian industry manufacturing SMBS exists.

At the conclusion of the review, Customs will recommend to the Minister whether the notice:

- should remain unaltered;
- should be revoked in its application to a particular exporter or particular kind of goods or revoked generally; or
- be amended as if different variable factors had been ascertained.

Procedures for the Review

Interested parties (as defined) are invited to respond to this notice and should lodge submissions, no later than the close of business on 18 November 2006, with:

	Director
	Dumping Liaison & Implementation
by post	Australian Customs Service
	5 Constitution Avenue
	CANBERRA ACT 2601
by fax	(02) 6275 6990
by e-mail	tmliaison@customs.gov.au.

Parties to the review may be granted an extension of time for lodgement of a submission, provided the request is in writing and is reasonable and practical given the circumstances. Parties responding by the specified date will have an opportunity to lodge supplementary submissions in reply to matters raised by other parties.

All interested parties wishing to participate must ensure that their submissions are lodged promptly. The legislation allows Customs to disregard any submissions that are received after specified periods if there is insufficient time remaining for their proper consideration.

Confidential submissions must be clearly marked "In-Confidence". In addition, two non-confidential copies of the submission must be provided and marked "Public Record".

Section 269ZJ of the Act requires that if a person claims information is confidential, or claims that publication of the information would adversely affect their business or commercial interests, that person:

- must provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information, or
- must satisfy the CEO of Customs that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Non-confidential submissions, and a copy of relevant correspondence between Customs and other persons, will be placed on the public record. Interested parties (as defined) are invited to examine the public record. Please ring Trade Measures Branch management on (02) 6275 6057 for an appointment.

A statement of essential facts in relation to the review will be placed on the public record by 27 January 2007 (or by such later date as the Minister may allow in accordance with s. 269ZH of the Act), setting out the facts on which the Chief Executive Officer of Customs proposes to base the recommendations to the Minister. Parties are invited to make submissions to Customs in response to the statement of essential facts within 20 days of that statement being placed on the public record.

A report and recommendations to the Minister will be made by 13 March 2007 (or by such later date as the Minister may allow in accordance with s. 269ZHI of the Act).

Inquiries concerning this notice may be directed to the case manager on telephone number (02) 6275 6295, fax number (02) 6275 6990 or e-mail tmliaison@customs.gov.au.

Andrew Rice
National Manager
Trade Measures Branch

9 October 2006