



**Customs Act 1901 - Part XVB**

**TRADE MEASURES BRANCH**

**REPORT NO. 89**

**REVIEW OF EXPORT PRICE, NORMAL VALUE AND  
NON-INJURIOUS PRICE**

***Linear Low Density Polyethylene***

***exported from***

***Indonesia, Republic of Korea and Thailand***

**May 2005**

# Trade Measures Report 89



Australian Government  
Australian Customs Service

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## LINEAR LOW DENSITY POLYETHYLENE from Indonesia, the Republic of Korea and Thailand Finding in relation a review of anti-dumping measures

Public notice under s. 269ZDB(1) of the *Customs Act 1901*

A review of anti-dumping measures applying to exports of certain linear low density polyethylene (LLDPE) (referred to in this notice as "the goods"), from Indonesia, the Republic of Korea (Korea) and Thailand which was commenced on 4 November 2004, has been completed.

Recommendations resulting from that review, reasons for the recommendations and material findings of fact and law in relation to the review are contained in Trade Measures Report No. 89 (referred to in this notice as "the Report").

Non-confidential versions of the Report will be sent to all interested parties that participated in the review. Additional copies may be obtained by contacting Trade Measures Office Management, Canberra, on telephone number (02) 6275 6547 or facsimile (02) 6275 6990. Trade Measures reports are also available on the Customs internet home page at <http://www.customs.gov.au>.

I, CHRISTOPHER MARTIN ELLISON, Minister for Justice and Customs, have considered the Report and, with the exception of the recommendation that the undertaking applying to PT Petrokimia Nusantara Interindo (PENI) is no longer acceptable and that a dumping duty notice be published in place of the undertaking, accepted the recommendations and reasons for the recommendations, including all material findings of fact or law set out in the Report. The recommendation in relation to PENI is no longer relevant following the publication of a dumping duty notice in respect of exports of LLDPE from Indonesia by PENI on 18 July 2005. Under s.269ZDB(1) of the *Customs Act 1901*, I DECLARE, for the purposes of the *Customs Act 1901* and the *Customs Tariff (Anti-Dumping) Act 1975*, to the extent that the anti-dumping measures concerned involved the publication of dumping duty notices, that:

- with effect from the date of publication of this declaration, the notices are to be taken to have effect, in relation to exporters of the goods from Indonesia (with the exception of PENI), Korea and Thailand, as if different variable factors had been fixed in respect of those exporters, relevant to the determination of duty; and
- the notice applying to PENI is to remain unaltered.

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To preserve confidentiality, the revised variable factors will not be published. Bona fide importers of the goods can obtain details of the new rates from the Regional Dumping Officer in their respective capital city. Other enquiries regarding these changes may be directed to Operations 1, Trade Measures Branch, Australian Customs Service.

Dated this *12<sup>TH</sup>* day of *SEPTEMBER* 2005



CHRISTOPHER MARTIN ELLISON  
Minister for Justice and Customs



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### 1 SUMMARY

This report presents the conclusions and recommendations to the Minister for Justice and Customs (Minister) as a result of the Australian Customs Service (Customs) review of the variable factors applying to linear low density polyethylene (LLDPE) exported to Australia from Indonesia, Republic of Korea (Korea) and Thailand.

An anti-dumping notice applying to LLDPE exported from Indonesia was published in July 2000. An anti-dumping notice applying to LLDPE exported from Korea (excluding Hyundai Petrochemical Co Ltd) and Thailand was published in December 2003.

The review was initiated on 4 November 2004 following a request by the Minister for Justice and Customs (Minister) to the Chief Executive Officer (CEO) of Customs.

Customs received questionnaire responses from importers and exporters of the goods from Indonesia, Korea and Thailand. Submissions were also received from interested parties.

As a result of the review, Customs recommends the Minister declare that existing measures be altered to reflect changes in the variable factors.

### 2 PURPOSE

Where Customs undertakes a 155-day review of anti-dumping measures, the Customs Act 1901 (Act) requires that a statement of essential facts (SEF) be published by day 110. The Minister may allow a later SEF publication date in accordance with s. 269ZHI of the Act. ACDN 2004/36 advised that the SEF would be placed on the public record by 26 February 2005.

Due to the commonality of some interested parties, this review was conducted in conjunction with a review of high density polyethylene exported from Korea, Malaysia, Singapore and Sweden and also an investigation in the alleged dumping of LLDPE exported from Canada. Because of the large number of importers and exporters and the complexity of the information required, the Minister extended the deadline for the SEF to 4 April 2005. The extension was advised in ACDN 2005/9. The SEF was issued on 17 March 2004 and interested parties were invited to make submissions in response to the SEF within 20 days of its publication.

Customs considered submissions in response to the SEF when formulating recommendations to the Minister.

### 3 INTRODUCTION

#### 3.1 AUSTRALIA'S ANTI-DUMPING REVIEW PROVISIONS

The conditions for applications and requests for review of anti-dumping measures are set out under s. 269ZA of the Act. An affected party may apply for a review of anti-dumping measures, providing a review has not been undertaken in the preceding twelve months. The Minister may, at any time, by notice in writing, request that the CEO initiate a review.

#### 3.2 THE CURRENT REVIEW

This review of anti-dumping measures follows a request by the Minister that the CEO conduct a review under Division 5 of Part XVB of the Act. The Minister requested that the review should include all of the variable factors relevant to LLDPE exports from Indonesia, Korea and Thailand.

Customs has reviewed anti-dumping measures, including the content and level of undertakings, on LLDPE exported from Indonesia, Korea and Thailand. The review covered each variable factor i.e. export price, normal value and non-injurious price.

#### 3.3 THE GOODS

The goods to which the measures relate are LLDPE, in a pelletised form and with a density of less than 0.94 grams per square centimetre, in various grades. The goods are classified within 3901.10.00 and 3901.90.00 of the *Customs Tariff Act 1995*. The general rate of duty is 5% for the countries under review.

LLDPE is a variety of polyethylene produced by the polymerisation of ethylene gas with co-monomers (mainly butene, hexene and octene) in the presence of various catalysts at controlled pressures and temperatures. LLDPE is produced using low-pressure in either a gas phase reactor or a solution process. Certain other chemicals are used in the polymerisation process. The raw LLDPE is mixed with additives to produce the various grades, compounded, extruded and chopped into pellets for sale.

The main manufacturing processes for which LLDPE is the major raw material are extrusion and blow, injection and rotational moulding. The major products produced from LLDPE include pipes and containers and packaging for food and beverages.

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### 4 HISTORY OF ANTI-DUMPING INVESTIGATIONS

Anti-dumping investigations since 2000 are shown in the table below.

	Investigation Type	Date of	Countries investigated	Result/comment
Report 8	Investigation	February 2000	Indonesia Korea Malaysia and Saudi Arabia	Measures imposed on Indonesia only – 1 undertaking accepted
Report 67	Investigation	July 2003	Korea and Thailand	Measures imposed on all exporters except Hyundai Petrochemical Co (Korea)

### 5 THE AUSTRALIAN INDUSTRY AND MARKET

The Australian market for LLDPE is supplied by Qenos Pty Ltd (Qenos), the Australian industry, and by imports from a number of countries.

In calculating the Australian market, Customs has used sales and import information obtained from the Australian manufacturer, importers, exporters and Customs' commercial database.

The Australian market for LLDPE is currently around 160,000 tonnes per annum.

### 6 EXPORT PRICE AND NORMAL VALUE

Customs examined importations of LLDPE over the period 1 October 2003 to 30 September 2004.

#### 6.1 INDONESIA

Over the review period, LLDPE was exported to Australia from Indonesia by several companies. Two companies responded to the questionnaire.

##### 6.1.1 PT Chandra Asri (Chandra Asri)

In December 2004, Customs visited a company in Australia which had imported Chandra Asri product. Chandra Asri provided information to Customs but the information was incomplete and was not verified.

##### Export price

Customs did not have sufficient information to satisfactorily establish the roles and responsibilities of all parties involved in the manufacture and sale of LLDPE to Australia.

Customs recommends the Minister determine export price under s. 269TAB(3) of the Act.

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### **Normal value**

Chandra Asri provided details of domestic sales of LLDPE for the review period. This information was not verified and could not be used to establish normal value under s. 269TAC(1) of the Act.

Chandra Asri provided the cost to manufacture the goods in Indonesia and administration, selling and general (AS&G) costs associated with their sale. The information was not verified and no other information was available to determine normal value under s. 269TAC(2).

Customs recommends the Minister be satisfied that sufficient information was not available to determine normal value under ss. 269TAC(1) or (2) of the Act. The next alternative is s. 269TAC(6) of the Act.

Customs recommends the Minister determine normal value under s. 269TAC(6) of the Act.

Export price and normal value are at confidential attachment 1.

### **6.1.2 PT Petrokimia Nusantara Interindo (PENI)**

PENI did not export LLDPE to Australia during the review period. As a consequence, no importers were visited by Customs. PENI provided information to Customs but the information was incomplete and was not verified.

### **Export price**

Customs recommends the Minister determine export price under s. 269TAB(3).

### **Normal value**

PENI provided details of domestic sales of LLDPE for the review period. This information was not verified and could not be used to establish normal value under s. 269TAC(1) of the Act.

PENI provided the cost to manufacture the goods in Indonesia and AS&G costs associated with their sale. This information was not verified and no other information was available to determine normal value under s. 269TAC(2).

Customs recommends the Minister be satisfied that sufficient information was not available to determine normal value under ss. 269TAC(1) or (2) of the Act. The next alternative is s. 269TAC(6) of the Act.

Customs recommends the Minister determine normal value under s. 269TAC(6) of the Act.

Export price and normal value are at confidential attachment 1.

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### 6.1.3 Remaining Indonesian exporters

Customs notified all the remaining companies that had supplied Indonesian origin LLDPE to Australia of the review. No remaining company provided any information to the review and Customs did not visit any importers who purchased Indonesian product from the remaining companies.

Details for remaining exporters are at confidential attachment 1.

## 6.2 KOREA

Over the review period, LLDPE was exported to Australia from Korea by several companies. No response to the questionnaire was received from any company.

### 6.2.1 Hanwha Chemical Corporation (HCC)/ Hanwha Corporation (HC)

Customs notified HCC and HC of the review. Neither company provided any information to the review and Customs did not visit any importers who purchased HCC/HC product.

#### Export price

Customs did not have sufficient information to satisfactorily establish the roles and responsibilities of all parties involved in the manufacture and sale of LLDPE to Australia.

Customs recommends the Minister determine export price under s. 269TAB(3) of the Act.

#### Normal value

Customs did not have information to establish if HCC or HC sell LLDPE on the domestic market. Normal value could not be assessed under s. 269TAC(1) of the Act.

Customs recommends the Minister be satisfied that sufficient information was not available to determine normal value under ss. 269TAC(1) or (2) of the Act. The next alternative is s. 269TAC(6) of the Act.

Customs recommends the Minister determine normal value under s. 269TAC(6) of the Act.

Export price and normal value are at confidential attachment 2.

### 6.2.2 Samsung General Chemicals Co. Ltd. (SGC)

SGC did not export LLDPE to Australia during the review period. As a consequence, no importers were visited by Customs. SGC did not respond to the exporter questionnaire.

#### Export price

Customs recommends the Minister determine export price under s. 269TAB(3) of the Act.

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### Normal value

Customs did not have information to establish if SGC sells LLDPE on the domestic market. Normal value could not be assessed under s. 269TAC(1) of the Act.

Customs recommends the Minister be satisfied that sufficient information was not available to determine normal value under ss. 269TAC(1) or (2) of the Act. The next alternative is s. 269TAC(6) of the Act.

Customs recommends the Minister determine normal value under s. 269TAC(6) of the Act.

Export price and normal value are at confidential attachment 2.

### **6.2.3 S K Corporation (SK)/ SK Global Co Ltd (SKG)**

SK/SKG did not export LLDPE to Australia during the review period. As a consequence, no importers were visited by Customs. SK/SKG did not respond to the exporter questionnaire.

### Export price

Customs recommends the Minister determine export price under s. 269TAB(3) of the Act.

### Normal value

Customs did not have information to establish if SK or SKG sell LLDPE on the domestic market. Normal value could not be assessed under s. 269TAC(1) of the Act.

Customs recommends the Minister be satisfied that sufficient information was not available to determine normal value under ss. 269TAC(1) or (2) of the Act. The next alternative is s. 269TAC(6) of the Act.

Customs recommends the Minister determine normal value under s. 269TAC(6) of the Act.

Export price and normal value are at confidential attachment 2.

### **6.2.4 Remaining Korean exporters (excluding Hyundai Petrochemical Co Ltd)**

Customs notified all the remaining companies that had supplied Korean origin LLDPE (excluding Hyundai Petrochemical Co Ltd product) to Australia of the review. None of the remaining companies responded to the exporter questionnaire. In December 2004, Customs visited a company in Australia which had imported product from one of the remaining companies.

Details for the remaining companies are at confidential attachment 2.

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### 6.3 THAILAND

Customs identified a number of suppliers of LLDPE exported from Thailand to Australia during the review period. Two suppliers provided a response to the questionnaire.

#### 6.3.1 CCC Chemicals (CCC)

Relevant documentation was obtained from an importer in Australia which purchased CCC product. In February 2005, Customs visited CCC in Thailand.

##### Export price

CCC is a marketing arm for several manufacturing companies including Thai Polyethylene Co. Ltd (TPE), the manufacturer of the LLDPE.

After examining the roles of all parties Customs considers that, in all sales of LLDPE to Australia during the review period, TPE is the manufacturer of the goods and CCC is the exporter of the goods.

Customs is satisfied that sales by CCC to Australian customers were arms length transactions and that the Australian customers imported the goods.

There were reasonable grounds to believe that the goods were exported to Australia other than by the importer and were purchased by the importer from the exporter.

Customs established export price under s. 269TAB(1)(a) of the Act.

##### Normal value

In determining normal value for CCC, Customs considered information in CCC's submission and information gathered at the verification visit in Thailand.

CCC provided details of all domestic sales of LLDPE for the review period. Customs verified consolidated sales information and individual sales to customers. Customs verified the price paid by domestic customers and is satisfied that sales are arms length transactions.

Customs examined the cost to manufacture the goods in Thailand and AS&G costs associated with their sale. Sufficient verified cost information was available to establish a constructed normal value.

Customs established that there was a sufficient quantity of domestic sales of like goods in the ordinary course of trade for normal value purposes. No market factor was identified to render domestic sales to be unsuitable.

Customs established normal value under s. 269TAC(1) of the Act.

In order to establish normal value properly comparable to export price, Customs recommends the normal value incorporate adjustments to account for the differences between domestic and export sales for inland transportation, FOB

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charges, bank guarantee fees and tax refund. The adjustments are recommended in accordance with s. 269TAC(8).

Export price and normal value are at confidential attachment 3.

### **6.3.2 Siam Polyethylene (SPE)**

In December 2004, Customs visited a company in Australia who had purchased SPE product. Customs visited SPE in Thailand in January 2005.

#### **Export price**

After examining the roles of all parties Customs considers that, in all sales of LLDPE to Australia during the review period, SPE is the manufacturer and exporter of the goods.

Customs is satisfied that sales by SPE to their Australian customer were arms length transactions and that the Australian customer imported the goods.

There are reasonable grounds to believe that the goods were exported to Australia other than by the importer and were purchased by the importer from the exporter.

Customs established export price under s. 269TAB(1)(a) of the Act.

#### **Normal value**

In determining normal value for SPE, Customs considered information in SPE's submission and information gathered at the verification visit in Thailand.

The goods SPE exported to Australia are identical to those sold on the domestic market in Thailand.

SPE provided details of all domestic sales of LLDPE for the review period. Customs verified consolidated sales information and individual sales to customers. Customs verified the price paid by domestic customers and is satisfied that sales are arms length transactions.

Customs examined the cost to manufacture the goods in Thailand and AS&G costs associated with their sale. Sufficient verified cost information was available to establish a constructed normal value.

Customs established that there was a sufficient quantity of domestic sales of like goods in the ordinary course of trade for normal value purposes. No market factor was identified to render domestic sales to be unsuitable.

Customs established normal value under s. 269TAC(1) of the Act.

In order to establish normal value properly comparable to export price, Customs recommends the normal value incorporate adjustments to account for the differences between domestic and export sales for inland transportation, FOB charges and tax refund. The adjustments are recommended in accordance with s. 269TAC(8).

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Details of export price and normal value are at confidential attachment 3.

### 6.3.3 Remaining exporters

Customs notified all the remaining companies that had supplied Thai origin LLDPE to Australia of the review. No remaining company provided any information to the review. Customs did not visit any importers who purchased Thai product from the remaining companies.

Details for remaining exporters are at confidential attachment 3.

## 7 SUBMISSIONS IN RESPONSE TO THE SEF

Customs placed the SEF on the public record on 17 March 2005. Interested parties were invited to make submissions in response to the SEF by 6 April 2005. Three submissions were received.

Issues raised in the submissions covered:

- import volumes;
- sufficiency of information;
- export price and normal value;
- basis for review; and
- unsuppressed selling price.

All of the issues listed above have been considered by Customs and, where appropriate, have been covered in the relevant section of the report. The submissions are at confidential attachment 4. A detailed analysis of the issues raised in each submission is at confidential attachment 5.

## 8 MEASURES/UNDERTAKINGS

Dumping duties may be applied where it is established that dumped imports have caused or threaten to cause injury to the Australian industry producing like goods. The level of dumping duty cannot exceed the margin of dumping, but a lesser duty may be applied if it is determined that a lesser level of duty is sufficient to remove the injury.

A non-injurious price (NIP) is calculated to determine the level of dumping duty that needs to be applied to dumped imports to remove the injury suffered by the Australian industry.

### **Unsuppressed Selling Price (USP)**

A USP is the price at which the Australian industry would be able to sell the goods in a market unaffected by dumped imports.

In a submission in response to the SEF, the Australian industry requested Customs utilise actual costs rather than normalised costs for the USP and to base the USP upon actual costs incurred in the second half of 2004 (ie the

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September and December quarters 2004). It claims this would remove the uncertainty associated with using normalised model data which it considers understates the full cost of LLDPE during the March and June quarters of 2004.

The normalised costs have been used to remove the extra-ordinary events of 2003 and early 2004, namely the Botany and Moomba fires. To use the actual costs would inflate the USP and as a consequence overstate the NIP.

The review period is established to make the conduct of the review manageable and meaningful. The value of each variable factor (export price, normal value and NIP) is worked out for the review period. As Customs does not have information in relation to all the variable factors in the December quarter 2004, it is not considered reasonable to use an individual item such as the USP (which is the basis for the NIP) from a period outside the review period. To do so would not establish the variable factors on the same basis and would distort required comparisons.

Customs has determined a USP based on the industry's cost to make and sell in the 12 months of the review period. A rate of profit achieved on a similar product in the same general category of goods sold in a market unaffected by dumping has been included in the USP calculation. The industry's cost to make and sell has been adjusted to remove the effects of significant manufacturing disruptions.

### **Non-injurious Price (NIP)**

Anti dumping and countervailing duties are based on FOB prices in the country of export. Therefore a NIP is calculated in FOB terms for the country of export. The method of calculating a NIP is not defined in the legislation. Customs generally derives a NIP from the Australian industry's USP.

The USP is equivalent to the landed duty paid into store cost of imports for end-users. To calculate the NIP, post FOB exportation costs such as ocean freight, costs incurred in Australia and an amount for importer's profit are deducted from the USP.

As the Australian industry had requested that the USP be based upon the second half of 2004 (ie the September and December quarters 2004), Customs examined the trend in export prices, Australian industry selling prices and normal value to end March 2005. A sustained increase was evidenced in these items and Customs considered whether it would be appropriate to base the new level of measures on the latter 6 months of the review period.

Customs examined each of the variable factors and the USP for both the full 12 months and the latter 6 months of the review period. The examination also took account of the requirement for the operative measure to be set at the lower of normal value or NIP.

The variation between the 12 month and 6 month level of measures was not significant. Customs considers that the level of the revised measures should be established using the data relating to the full 12-month period of the review.

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Customs has calculated post-FOB exportation costs for each country subject to measures.

Details of the NIP are at confidential attachment 6.

### **Level of Dumping Duty/Undertakings**

Anti-dumping measures may take the form of specific dumping duties on imports of the goods or price undertakings by the exporter(s) of the goods.

PENI, an exporter of LLDPE from Indonesia, is subject to a price undertaking.

Customs provided PENI with a draft of the proposed alteration to the terms of the undertaking as a result of the review and sought an indication from PENI if it wished to continue in a price undertaking agreement under the revised terms.

PENI has requested to be excluded from further investigation and that no price undertaking and/or anti-dumping duties be imposed on PENI.

As the variable factors have changed and PENI has not indicated that it wishes to continue in a price undertaking agreement under the revised terms the only course available is for the Minister to declare that the undertaking is no longer acceptable and publish a dumping duty notice with respect to PENI.

In considering this course of action the requirements of s. 269TG(2) of the Act must be addressed. The issues to consider are:

- whether the goods in question were dumped during the investigation period;
- whether like goods that may be exported to Australia in the future may be dumped; and
- because of that material injury to an Australian industry has been or is being caused or is threatened or the establishment of an Australian industry producing like goods has been or may be materially hindered.

In the original investigation (SEF No. 8), PENI's exports to Australia were at dumped prices and the dumping margins were not negligible. PENI did not export LLDPE to Australia during the review period so it was not possible to calculate a dumping margin for the review period.

When considering whether LLDPE that may be exported to Australia in the future by PENI may be dumped, regard has been taken of the information gathered by Customs for the current continuation inquiry in relation to LLDPE exported to Australia from Indonesia. Customs has published SEF No. 95 in relation to the continuation.

PENI advised the continuation inquiry that it set its selling prices for LLDPE on both the domestic and export markets based on prevailing world polyethylene prices at the time of order. SEF No. 95 details that a minority of PENI's domestic sales were in the ordinary course of trade and that export sales to third countries had a dumping margin in excess of 50 percent.

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In this review, verified domestic sales by manufacturers in other countries in the review period showed a sufficient quantity of domestic sales of like goods in the ordinary course of trade for normal value purposes (ie at least 80 percent of total sales volume profitable). In a similar period the minority of PENI's domestic sales were profitable.

As PENI has consistently sold LLDPE in both the domestic and export market below cost to make and sell, particularly at a time when other manufacturers are selling the majority of their LLDPE profitably, LLDPE that may be exported to Australia in the future by PENI may be dumped.

In the original investigation (SEF No. 8), Customs was satisfied that dumping from Indonesia had caused material injury to the Australian industry and was also satisfied that the situation was unlikely to change to such an extent that dumping from Indonesia would cease to cause material injury to the Australian industry in the future. As PENI has not exported during the review period the finding of the initial investigation has to be relied upon. The injury factors relevant to material injury to the industry are that the dumping margins were large and exports from Indonesia undercut the Australian industry's prices.

Customs recommends the Minister declare that the undertaking is no longer acceptable and publish a dumping duty notice.

### **9 OUTCOMES**

Customs found that:

- the recommended ascertained export price, normal value and non-injurious price have varied from the levels previously ascertained; and
- the undertaking by PENI should be replaced by an interim duty.

### 10 SUMMARY OF RECOMMENDATIONS

Customs recommends that the Minister be satisfied in accordance with s. 269TAB(3) of the Act, that sufficient information has not been furnished, or is not available, to enable the export price for LLDPE exported to Australia from the following exporters to be established under any preceding sub-sections of s. 269TAB;

- Chandra Asri and PENI from Indonesia; and
- HC, SGC and SK/SKG from Korea.

Customs recommends that the Minister be satisfied, in accordance with s. 269TAC(6) of the Act, that sufficient information has not been furnished, or is not available, to enable the normal value for LLDPE exported to Australia by the following exporters to be ascertained under preceding subsections of s. 269TAC of the Act:

- Chandra Asri and PENI from Indonesia; and
- HC, SGC and SK/SKG from Korea.

Customs recommends that the Minister determine, in accordance with s. 269TAC(6) of the Act, that the normal value of LLDPE for the following exporters is the amount having regard to all relevant information:

- Chandra Asri and PENI from Indonesia; and
- HC, SGC and SK/SKG from Korea.

Customs recommends that, in assessing normal value the Minister direct, in accordance with s. 269TAC(8) of the Act, that the price paid for like goods be adjusted for the nominated exporters as follows:

Exporter	CCC	SPE
Adjustment		
Tax refund (duty drawback)	x	x
FOB charges	x	x
Inland transport	x	x
Bank guarantee fees	x	

Customs recommends that the Minister re-ascertain the export prices, normal values and non-injurious prices as set out in confidential attachment 7.

Customs recommends that the Minister consider the report and, if agreed declare, by public notice under s.269ZDB, that

- the variable factors relevant to determining the interim dumping duty applying to LLDPE exported to Australia be amended; and
- the undertaking applying to PENI is no longer acceptable, and that a dumping duty notice be published based on the variable factors ascertained in this review.

Customs recommends that the Minister agree that, on the ground of confidentiality, the tables attached to the aforementioned instrument not be published.

To give effect to these recommendations, Customs recommends that the Minister sign the notice and legal instruments attached.

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### 11 EVIDENCE RELIED UPON

In formulating the recommendations in this report, Customs had regard to:

<b>Topic</b>	<b>Section of report detailing facts relied upon</b>	<b>Evidence relied upon</b>
Export price	6	Exporter submission; information gathered from interested parties and Customs commercial database
Normal value	6	Exporter submission; information gathered from interested parties and Customs commercial database
Non injurious price	8	Industry submissions; information gathered from interested parties.

### 12 LIST OF CONFIDENTIAL ATTACHMENTS

Attachment 1	Indonesian exporters export price and normal value
Attachment 2	Korean exporters (excluding Hyundai Petrochemical Co Ltd) export price and normal value
Attachment 3	Thai exporters export price and normal value
Attachment 4	Submissions in response to the SEF
Attachment 5	Analysis of submissions made in response to the SEF
Attachment 6	Non-injurious price
Attachment 7	Recommended variable factors