Australian Government
Department of Industry, Science and Resources

Anti-Dumping Commission

Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE 2023/045

Ammonium Nitrate

Exported to Australia from the Republic of Lithuania and the Socialist Republic of Vietnam

Termination of Investigation 605

***Public notice under section 269TDA(15) of the Customs Act 1901* (Cth)**

On 8 June 2022, I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping of ammonium nitrate (the goods) exported to Australia from the Republic of Chile (Chile), the Republic of Lithuania (Lithuania) and the Socialist Republic of Vietnam (Vietnam). The investigation followed an application lodged under section 269TB(1) of the *Customs Act 1901* (Cth)[1] by CSBP Limited, Orica Australia Pty Ltd and Queensland Nitrates Pty Ltd.

Public notice of my decision to not reject the application and to initiate the investigation (initiation notice) was published on the Anti-Dumping Commission's (commission) website on 8 June 2022.[2]

On 3 August 2022, I published ADN 2022/080, terminating the investigation in relation to Chile.[3]

On 30 May 2023, I published the statement of essential facts (SEF) in relation to the alleged dumping from Lithuania and Vietnam. In the SEF, I found that dumped exports from Lithuania and Vietnam have not caused, and did not threaten to cause, material injury to the Australian industry producing like goods.

As a result of the commission's investigation, I am satisfied that the injury, if any, to the Australian industry, that has been, or may be, caused by the cumulative effect of exports of the goods from Lithuania and Vietnam is negligible.

[1] All legislative references in this notice are to the *Customs Act 1901* (Cth) unless otherwise specified.
[2] Anti-Dumping Notice (ADN) 2022/050, available at www.adcommission.gov.au.
[3] INV 605 Electronic Public Record, no 17.

Therefore, I have terminated the investigation so far as it relates to Lithuania and Vietnam (and have therefore terminated the investigation in its entirety) in accordance with section 269TDA(13A)(b).

In making the decision to terminate, I have had regard to the application, submissions from interested parties concerning publication of the initiation notice, information from the Australian Border Force import database, SEF 605, submissions in response to that SEF and other relevant information.

Termination Report 605, which sets out reasons for the termination, including the material findings of fact or law upon which the decision is based, has been placed on the commission's website at www.adcommission.gov.au.

The applicants may request a review of this decision to terminate the investigation by lodging an application with the Anti-Dumping Review Panel in the approved form and manner within 30 days of the publication of this notice.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2525, or via email at investigations3@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

8 August 2023