

NON-CONFIDENTIAL

**THE COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1993
AND
THE COUNTERVAILING AND ANTI-DUMPING REGULATIONS 1994**

FINAL DETERMINATION

CASE NO. AD01/2020

**ANTI-DUMPING INVESTIGATION ON IMPORTS OF FLAT ROLLED PRODUCT
OF NON-ALLOY STEEL PLATED OR COATED WITH ALUMINIUM AND ZINC
ORIGINATING OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA,
THE REPUBLIC OF KOREA AND THE SOCIALIST REPUBLIC OF VIET NAM**

11 DECEMBER 2020

**TRADE PRACTICES SECTION
MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY
MALAYSIA**

LIST OF ABBREVIATIONS

AD	:	Anti-dumping
ASEAN	:	Association of Southeast Asia Nations
ATIGA	:	ASEAN Trade in Goods Agreement
CFR	:	Cost and Freight
CIF	:	Cost, Insurance and Freight
CTMS	:	Cost to Make and Sell
Domestic Industry	:	The Malaysian Domestic Industry producing the Like Product
DoSM	:	Department of Statistics, Malaysia
FCA	:	Free Carrier Alongside
FOB	:	Free on Board
H.S. Code	:	Harmonised System Code
MFN	:	Most Favoured Nation
MT	:	Metric Tonnes
POI	:	Period of Investigation
POID	:	Period of Injury Determination
PRC	:	The People's Republic of China
PUI	:	Product Under Investigation
RM	:	Ringgit Malaysia
RMCD	:	Royal Malaysian Customs Department
ROA	:	Return on Assets
ROI	:	Return on Investment
ROK	:	The Republic of Korea
SG&A	:	Selling, General and Administrative Expenses
The Act	:	Countervailing and Anti-Dumping Duties Act 1993
The Government	:	The Government of Malaysia
The IA	:	The Investigating Authority, Trade Practices Section, Ministry of International Trade and Industry (MITI)
The Minister	:	Minister of International Trade and Industry, Malaysia
The Petitioner	:	NS Bluescope Malaysia Sdn. Bhd.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

The Regulations	:	Countervailing and Anti-Dumping Duties Regulations 1994
VAT	:	Value Added Tax
Viet Nam	:	The Socialist Republic of Viet Nam
WADM	:	Weighted Average Dumping Margin
WAEP	:	Weighted Average Export Price
WANV	:	Weighted Average Normal Value
WTO ADA	:	WTO Anti-Dumping Agreement

LIST OF DEFINITIONS

<i>De Minimis</i>	:	margin of dumping is less than two per centum
Dumping Margin	:	the amount by which the Normal Value of the product under investigation exceeds the Export Price, expressed as a percentage of the Export Price
Export Price	:	the price actually paid or payable for the product under investigation
Like Product	:	a product that is identical or alike in all respects to the subject merchandise or, in the absence of such a product, another product that although not alike in all respects has characteristics closely resembling the subject merchandise
Negligible	:	the volume of imports of the product under investigation into Malaysia from: <ul style="list-style-type: none">- a particular country accounts for less than three per cent of the total imports of the like product- countries that individually account for less than three per cent of the imports of the like product, collectively account for less than seven per cent of the total imports of the like product
Normal Value	:	the price paid in the ordinary course of trade in the domestic market of the exporting country
Product Under Investigation	:	the class or kind of product being looked into as subject merchandise or like product under this anti-dumping investigation
Subject merchandise	:	the class or kind of merchandise imported or sold for importation into Malaysia that is the subject of any countervailing or anti-dumping duty action
Period of injury Determination (POID)	:	Year 1 : 1 August 2016 – 31 July 2017 Year 2 : 1 August 2017 – 31 July 2018 POI : 1 August 2018 – 31 July 2019

EXECUTIVE SUMMARY

- i. The Final Determination (FD) report contains the IA’s findings on the alleged dumping of flat rolled product of non-alloy steel plated or coated with aluminium and zinc originating or exported from the PRC, ROK and Viet Nam, which herein after are collectively referred to as “the alleged countries”.
- ii. Pursuant to subsection 25(1) of the Act and subregulation 15(1) of the Regulations, within 120 days from the announcement of the preliminary determination i.e. by 11 December 2020, the Government shall make a final determination on whether a dumping margin exists with regards to the subject merchandise and whether injury is found to exist in the domestic industry.
- iii. Pursuant to subsection 25(1), (3) and (4) of the Act, and as a result of findings during the investigation, the IA submits the essential facts under consideration that form the basis for the final determination as follows:
 - a. scope of the PUI is flat rolled product of non-alloy steel plated or coated with aluminium and zinc;
 - b. the Harmonised System (H.S.) Code and ASEAN Harmonised Tariff Nomenclature (AHTN) Codes of 7210.61.11 00, 7210.61.12 00, 7210.61.19 00, 7210.61.91 00, 7210.61.92 00, 7210.61.99 00, 7212.50.23 00, 7212.50.24 90, 7212.50.29 10 and 7212.50.29 90;

Note: H.S. codes and AHTN are given for information/ reference and have no binding effect on the classification of the PUI.
 - c. dumping margins for the subject merchandise established with regards to imports originating or exported from the alleged countries:
 - PRC : 0.06% to 18.88%;
 - ROK : 9.98% to 34.94%; and
 - Viet Nam : 1.56% to 37.14%.
 - d. the Domestic Industry claimed that they had suffered material injuries that can be reasonably linked to the importation of the subject merchandise into Malaysia. The IA concluded that the Domestic Industry has suffered material injuries in terms of import volume, market share, price undercutting, price suppression, productivity, inventory, profitability, cash flow, return on investment and return on assets;
 - e. The IA received comments from interested parties on the notice of essential facts (NOEF) and has taken all views and concerns highlighted in making the final determination.
 - f. other producers/exporters from the alleged countries who were not named in the investigation or have not made themselves known to the IA during the period of investigation shall be subjected to an anti-dumping duty on a residual basis;

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

- g. for producers/exporters who were named in the Petition but refused to fully cooperate or did not cooperate, the dumping margin determined by the IA will be based on facts available as stipulated under Section 41 of the Act;
- h. dumping margins established with regards to imports of subject merchandise originating or exported from the alleged countries are as follows:

PRC

i.	Shandong Bofeng New Material Co. Ltd.	2.18%
ii.	Jiangyin Zongcheng Steel Co. Ltd.	7.58%
iii.	Others	18.88%

ROK

i.	KG Dongbu Steel Co., Ltd.	9.98%
ii.	Others	34.94%

Viet Nam

i.	Hoa Sen Group	16.55%
ii.	Maruichi Sun Steel Joint Stock Company	4.53%
iii.	Hoa Phat Steel Sheet Company	3.06%
iv.	Nam Kim Steel Joint Stock Company	5.04%
v.	Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC	4.22%
vi.	Ton Dong A Corporation	15.87%
vii.	Tay Nam Steel Manufacturing & Trading Co., Ltd.	5.48%
viii.	Others	37.14%

- i. In relation to dumping margin less than 2% or *de minimis*, the IA makes a negative final determination for the following foreign producers/exporters:

PRC

- Yieh Phui (China) Technomaterial Co. Ltd. 0.06%

Viet Nam

- Southern Steel Sheet Co., Ltd. 1.56%

The negative final determination on both companies is made as there has been dumping by both exporters of the subject merchandise, but the dumping margin for both producers/exporters, or each such dumping margin, when expressed as a percentage of the export price or weighted average of export prices used to establish that dumping margin, is less than 2%. In this relation, as provided under subsection 25(3) of the Act, where the Government makes a negative final determination with regards to subsection 25(1) of the Act, it shall:

- terminate the investigation on both foreign producers/exporters;

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

- terminate the provisional measures applied under section 24, and release security required by such measures; and
 - publish a notice of the negative final determination, stating the reasons for its negative determination.
- iv. The IA has made its recommendations to the Minister(s) as required under subsection 30(3) and 30(4) of the Act for the imposition of final AD duties, for a period of five (5) years, beginning 12 December 2020 – 11 December 2025 as provided for under subsection 25(4) of the Act.

A. INTRODUCTION

The Petition

1. On 31 January 2020, NS Bluescope Malaysia Sdn. Bhd. (NS Bluescope) submitted an anti-dumping (AD) Petition in accordance with section 20 of the Act, requesting the Government to initiate an AD investigation on flat rolled product of non-alloy steel plated or coated with aluminium and zinc originating or exported from PRC, ROK and Viet Nam.

2. The Petitioner alleged that imports of the subject merchandise originating or exported from PRC, ROK and Viet Nam were sold at dumped prices and had materially injured the Domestic Industry in terms of:

- i. import volume;
- ii. market share;
- iii. price undercutting;
- iv. price depression;
- v. price suppression;
- vi. sales;
- vii. profitability;
- viii. cash flow;
- ix. production and capacity utilisation;
- x. productivity;
- xi. inventory;
- xii. employment and wages;
- xiii. return on investment;
- xiv. return on total assets; and
- xv. ability to raise capital.

3. Subject merchandise of flat rolled product of non-alloy steel plated or coated with aluminium and zinc are classified under the Harmonised System (H.S.) Code and ASEAN Harmonised Tariff Nomenclature (AHTN) Codes of 7210.61.11 00, 7210.61.12 00, 7210.61.19 00, 7210.61.91 00, 7210.61.92 00, 7210.61.99 00, 7212.50.23 00, 7212.50.24 90, 7212.50.29 10 and 7212.50.29 90.

4. The period of injury determination (POID) is from 1 August 2016 to 31 July 2019, whereas the POI is from 1 August 2018 to 31 July 2019.

Locus Standi of the Petitioner as Domestic Industry

5. The Act requires submission of the Petition to be made by or on behalf of Domestic Industry and the Act further states that Domestic Industry may be construed as referring to the rest of the producers other than producers related to the exporters, or importers of the subject merchandise.

6. In this case, the Petitioner is the sole producer of the PUI domestically and fulfils the locus standi of the “Domestic Industry” as follows:

Table 1: Total Production of Domestic Industry During POI

Model/Grade/Type of products	Volume of Actual Production (MT)
Flat Rolled Products of Non-Alloy Steel, Coated or Plated with Aluminium and Zinc	
A. Petitioner	
NS BLUESCOPE MALAYSIA SDN. BHD.	****
B. Companies supporting the application	-
TOTAL (A+B)	****
C. Companies opposing on the application	-
D. Companies not commenting on the application - neutral	-
E. Total Malaysian Production A+B+C+D=E	****
F. Companies that have commented, the portion of production represented by companies supporting the application (%) $[(A+B)/(A+B+C)] \times 100$	100%
G. Portion of total production supporting the application (%) $[(A+B)/(E)] \times 100$	100%

Initiation of Investigation

7. The IA evaluated the Petition and was satisfied that it complies with section 20 of the Act and regulation 2 of the Regulations and that the matters set out in the Petition constitute reasonable grounds for the initiation of an AD investigation against the imports of the subject merchandise from the alleged countries.

8. The Government announced the initiation of the investigation with effect from 17 March 2020, by a notice published in His Majesty’s Government Gazette P.U.(B) 177/2020. For information, the initiation of the investigation was delayed from 29 February 2020 (30 days from the receipt of the Petition) to 17 March 2020 due to the political changes in the country whereby at that time, the Ministry of International Trade and Industry did not have a Minister holding the portfolio to carry-out the powers as stipulated under the Act to initiate the AD investigation.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

9. The IA officially notified and sent relevant questionnaires i.e. foreign producers'/exporters' and importers' questionnaires, copy of the non-confidential version of the Petition and the federal gazette on the initiation of the investigation to all interested parties including those named in the Petition, as follows:

- alleged foreign producers/exporters;
- alleged importers; and
- the embassies of PRC, ROK and Viet Nam in Malaysia.

10. In the notifications sent to the government representatives of the alleged countries, they were advised to forward copies of the notifications of initiation, the foreign producers'/exporters' questionnaires and the non-confidential version of the Petition to any producer/exporter not named in the Petition to facilitate their response to the investigation.

Extension of Time

11. The interested parties have made written requests for an extension to submit their questionnaire responses due to the movement control order / emergency-controlled situation as a result of the Covid-19 pandemic in the alleged countries and domestically. As such, the IA had granted extension as follows:

No	Interested Parties	Original Deadline	Extension
	<u>Importers</u>		
i.	POSCO-MKPC Sdn. Bhd.	17 April 2020	8 May 2020
ii.	MSSC Sdn. Bhd.	17 April 2020	8 May 2020
iii.	Kina Roof Industries (Sabah) Sdn. Bhd.	17 April 2020	8 May 2020
	<u>Foreign Producers/Exporters</u>		
i.	Nam Kim Steel Joint Stock Company	17 April 2020	2 May 2020
ii.	Hoa Sen Group	17 April 2020	2 May 2020
iii.	Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC	17 April 2020	2 May 2020
iv.	Ton Dong A Corporation	17 April 2020	2 May 2020
v.	Hoa Phat Steel Sheet One Member Limited Liability Company	17 April 2020	2 May 2020
vi.	POSCO Korea	17 April 2020	2 May 2020
vii.	KG Dongbu Steel Co. Ltd	17 April 2020	2 May 2020
viii.	Maruichi Sun Steel Joint Stock Company	17 April 2020	2 May 2020
ix.	Tay Nam Steel Manufacturing and Trading Co. Ltd	17 April 2020	2 May 2020
x.	Yieh Phui (China) Technomaterial Co., Ltd	17 April 2020	2 May 2020
xi.	Jiangyin Zong Cheng Steel Co.Ltd	17 April 2020	2 May 2020
xii.	Shandong Bofeng New Material Co.,Ltd	17 April 2020	2 May 2020
xiii.	Shanghai Minmetals Development Ltd	17 April 2020	2 May 2020
xiv.	Southern Steel Sheet Co. Ltd	17 April 2020	2 May 2020
xv.	Vina One Steel Manufacturing Corporation	17 April 2020	2 May 2020

Appointment of Counsel / Consultant

12. The IA took note of the appointment of counsels/consultants by the following foreign producers/exporters as follows:

No.	Foreign Producers/Exporters	Counsel / Consultant
i.	Nam Kim Steel Joint Stock Company	Jason Teoh & Partners
ii.	Hoa Sen Group	Jason Teoh & Partners
iii.	Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC	Jason Teoh & Partners
iv.	Ton Dong A Corporation	Jason Teoh & Partners
v.	Hoa Phat Steel Sheet One Member Limited Liability Company	Jason Teoh & Partners
vi.	POSCO Korea	Jason Teoh & Partners
vii.	Maruichi Sun Steel Joint Stock Company	Skrine Advocates & Solicitors
viii.	Tay Nam Steel Manufacturing and Trading Co. Ltd	Skrine Advocates & Solicitors
ix.	Vina One Steel Manufacturing Corporation	Skrine Advocates & Solicitors
x.	Yieh Phui (China) Technomaterial Co., Ltd	Appleton Luff Pte Ltd
xi.	Jiangyin Zong Cheng Steel Co.Ltd	RayYin & Partners
xii.	Shandong Bofeng New Material Co.,Ltd	Hylands Law Firm
xiii.	Shanghai Minmetals Development Ltd	Hylands Law Firm

Written Submission to the Questionnaire from Interested Parties

Importer's Questionnaire

13. The IA circulated the Importer's Questionnaire to 14 importers of the subject merchandise including one (1) trade association, and the following four (4) importers have responded with a written submission:

- i. Rondo Metal Systems Sdn. Bhd.;
- ii. POSCO-MKPC Sdn. Bhd.;
- iii. MSSC Sdn. Bhd.; and
- iv. Kina Roof Industries (Sabah) Sdn. Bhd.

14. Rondo Metal Systems Sdn. Bhd. declared that they did not import the subject merchandise during the POID.

Foreign Producer's / Exporter's Questionnaire

15. The IA circulated the Foreign Producers'/Exporters' Questionnaires to 24 known foreign producers/exporters from the alleged countries and responses were received as follows:

- a) PRC
 - i. Yieh Phui (China) Technomaterial Co., Ltd;
 - ii. Jiangyin Zong Cheng Steel Co.Ltd;
 - iii. Shandong Bofeng New Material Co.,Ltd; and
 - iv. Shanghai Minmetals Development Ltd.

- b) ROK
 - i. KG Dongbu Steel Co. Ltd.; and
 - ii. POSCO Korea.

- c) Viet Nam
 - i. Nam Kim Steel Joint Stock Company;
 - ii. Hoa Sen Group;
 - iii. Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC;
 - iv. Ton Dong A Corporation;
 - v. Hoa Phat Steel Sheet One Member Limited Liability Company;
 - vi. Maruichi Sun Steel Joint Stock Company;
 - vii. Tay Nam Steel Manufacturing and Trading Co. Ltd;
 - viii. Vina One Steel Manufacturing Corporation;
 - ix. Southern Steel Sheet Co. Ltd; and
 - x. Pomina Flat Steel Co. Ltd.

16. Pomina Flat Steel Co. Ltd. (from Viet Nam) responded by declaring that they did not export the subject merchandise during the POID. The IA urges the company to submit an expedited review request once they have commercial export to Malaysia.

Association

17. The Malaysia Steel & Metal Distributors' Association (MSMDA) registered as an interested party, however the IA did not receive any questionnaire response from them.

Meeting with Interested Party After the Initiation

18. At the request of the interested party, the IA met POSCO Korea and its' legal counsel on 16 June 2020 via video conference. During the meeting, the IA took note on the issues raised and responses have been incorporated in this report.

Level of Cooperation

19. Interested parties stated in paragraphs 13 and 15 are considered to have fully cooperated in the investigation by responding to the questionnaires completely.

20. Interested parties that did not cooperate in the investigation, either by not responding to the questionnaire, not providing substantial information to the questionnaire, submitting partial information, withholding pertinent/substantial information or did not respond within the stipulated timeframe to enable the IA to make a determination in accordance with the Act, are as follows:

Importers

- i. Murni Plus Industry Sdn. Bhd.;
- ii. BW Yee Seng Steel Industries Sdn. Bhd.;
- iii. FIW Steel Sdn. Bhd.;
- iv. SJ Classic Industries Sdn. Bhd.;
- v. Sumiputeh Steel Centre Sdn. Bhd.;
- vi. YKGI Holdings Berhad;
- vii. Colourcoil Industries Sdn. Bhd.;
- viii. Amcan Color Coating Industries Sdn. Bhd.;
- ix. Mareso Pte. Ltd.; and
- x. Malaysia Steel and Metal Distributors' Association.

Foreign Producers / Exporters

a) PRC

- i. Angang Steel Company Limited;
- ii. Shandong Zhongtian Composite Material Co. Ltd.;
- iii. Baohua Steel International Pte. Ltd.;
- iv. Shandong Longcheng Exporting Co. Ltd.;
- v. Shandong Jialong New Materials Co. Ltd.;
- vi. Shandong Longfa Steel Plate Co. Ltd.; and
- vii. Shandong Wubo Industry Co. Ltd.

b) Viet Nam

- i. Dai Thien Loc Corporation.

Verification Visit

21. The IA carried out verifications either on-site to the Petitioner and importers' premise or via video-conference which responded to the questionnaire as follows:

Petitioner

- i. NS Bluescope Malaysia Sdn. Bhd. 1–4 June 2020

Importers

- i. MSSC Sdn. Bhd. 18 June 2020
- ii. POSCO MKPC Sdn. Bhd. 22 June 2020
- iii. Kina Roof Industries (Sabah) Sdn. Bhd. 23 June 2020
(via video-conference due to travel restriction during the Movement Control Order)

Foreign Producers / Exporters

The verification process for foreign producers/exporters were conducted via video-conference due to international travel restrictions during Covid-19 pandemic), as follows:

<u>Interested Parties</u>	<u>Date of Verification</u>
<u>PRC</u>	
i. Yieh Phui (China) Technomaterial Co., Ltd	18,19 & 21 August 2020
ii. Jiangyin Zong Cheng Steel Co.Ltd	14,15 & 17 September 2020
iii. Shandong Bofeng New Material Co.,Ltd;	28-30 September 2020
<u>Viet Nam</u>	
i. Southern Steel Sheet Co. Ltd	24-26 August 2020
ii. Nam Kim Steel Joint Stock Company	7-9 September 2020
iii. Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC	10,11 & 14 September 2020
iv. Maruichi Sun Steel Joint Stock Company	17,18 & 21 September 2020
v. Hoa Phat Steel Sheet One Member Limited Liability Company	21-23 September 2020
vi. Ton Dong A Corporation	23-25 September 2020
vii. Hoa Sen Group	23-25 September 2020
viii. Tay Nam Steel Manufacturing and Trading Co. Ltd	28-30 September 2020

22. The IA intends to highlight that the verification process via video-conference could not be conducted for foreign producers/exporters from ROK namely KG Dongbu Steel Co. Ltd. and POSCO Korea as there was a partial lockdown issued by the Korean Government which restricted the entry of employees to these companies and caused constraints for both companies to arrange and prepare for the video conference with the IA.

23. Nonetheless, the IA noted that both companies have requested for extension and proposed for the video-conference to be conducted in the middle of October 2020. However, the IA was not able to fulfil the request by these companies as the investigation process had to be completed within the statutory timeframe as outlined in the Act and the Regulations. As such, the companies have agreed to submit all relevant information and data via softcopy and hardcopies for the IA to verify.

Notice of Extension of Period for Making Preliminary Determination

24. In accordance with the sub regulation 10(2) of the Regulations, the Government decided to extend the period for making preliminary determination from 15 July 2020 to 13 August 2020. The extension was announced on 26 June 2020 through a notice published in His Majesty's Government Gazette P.U. (B) 293/2020. This was due to the Movement Control Order (MCO) in effect since 18 March 2020 as a result of the Covid-19 pandemic and interested parties were given extension to submit their questionnaire response.

B. SUBJECT MERCHANDISE AND LIKE PRODUCT

Description of the Subject Merchandise

25. The Petition describes the subject merchandise as aluminium/zinc non-alloy coated steel sheet in coil form, manufactured through continuous hot-dip process. The product may come in coil form or not in coil form whether or not plain, corrugated or in profiled form and may be skin-passed/processed on temper-mill or non-skin-passed, not painted whether or not including resin coating.

26. The subject merchandise is broadly used, but not limited to, in construction industry, typically manufactured into corrugated sheets for external cladding (roof and wall) and façade or other forms for lightweight structural steel, door framing, rainwater goods (gutter and downpipe), shutter door, garage door, signage, appliance panels, air conditioning ducting, etc.

27. Based on the Petition, details of the subject merchandise produced are as follows, but not limited to:

a. Physical, Technical and Chemical Characteristics:

Products delivered in coil form; thickness ranging from 0.20mm to 1.20mm; width of coil as produced ranging from 600mm to 1250mm, but can be sheared into narrower width, i.e. <600mm.

b. Mechanical Properties:

Steel grade is defined by tensile test, where yield strength, tensile strength and elongation are tested from every batch. Coating adhesion is tested through bend test, requirements can be found in MS 1196:2004.

c. Chemical Properties:

Coating designation of "AZ" is used for aluminium/zinc alloy coating. The nominal composition of the coating is 55% aluminium, 43.5% zinc and 1.5% silicon, as defined by BIEC International Inc. BlueScope's products as listed below are finished with BlueScope's proprietary surface treatment of passivation and clear resin coating. For products to be used in lightweight framing and structural usage, the finishing is in blue tinted resin coating instead of clear resin coating.

d. End Usage:

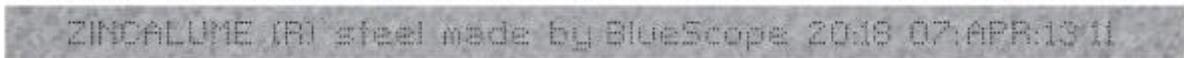
Commonly used for roofing, walling, hoarding, ceiling, structural steel building frame, and general manufacturing articles such as door frame, rainwater goods, shutter door, garage door, signage, appliance panels, air conditioning ducting, etc.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

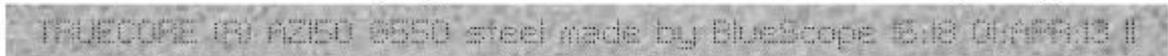
e. Brand Names:

ZINCALUME®, TRUECORE®, ZACS®, BLUESCOPE ZACS®, LUMBA™. The brands are printed on the reverse side of the product for ease of tracking. Below are samples of the branding text information.

For product identification and originality, please check the reverse side of the coil for the following branding text.



For product identification and originality, please check the reverse side of the coil for the following branding text.



f. Production Process - Flow Chart



g. Specification:

Products produced are according to MS 1196 and AS 1397. For the specification of each product, kindly refer to the table below:

Table 2: Product Specification

Brand	Coating Mass Designation	Steel Grade Designation	Thickness Range (mm)	Width Range (mm)
ZINCALUME®	AZ150, AZ200	G300, G550	0.20 – 1.20	600 – 1250
TRUECORE®	AZ150	G550	0.20 – 1.20	600 – 1250
ZACS®	AZ70, AZ90, AZ100	G300	0.20 – 1.20	600 – 1250
BLUESCOPE ZACS®	AZ90, AZ100	G300, G550	0.20 – 1.20	600 – 1250
LUMBA™	AZ70	G550	0.40 – 1.00	600 – 1250

Source: *Petition*

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

Note:

- The above products having coating type of N – Normal spangle coating (as coated) and surface treatment of C – Mill Passivation.
- The above coating mass and steel grade designation can be found in MS 1196:2004.
- All products above are finished with a layer of proprietary resin coating.

28. The Tariff Classification and rate of duties applicable to the subject merchandise is as shown as follows:

Table 3: Tariff Classification

HS Code/ AHTN	Product Description	MFN Rate (%)	Preferential Rate (%)		
			ATIGA	ACFTA	AKFTA
7210.61	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, clad, plated or coated with aluminium-zinc alloys: - Containing by weight less than 0.6% of carbon				
7210.61.1100	----- Of a thickness not exceeding 1.2mm	15	0	15	5
7210.61.1200	----- Of a thickness exceeding 1.2mm but not exceeding 1.5mm	15	0	15	5
7210.61.1900	---- Other	15	0	15	5
7210.61.9100	---- Other: Of a thickness not exceeding 1.2mm	15	0	0	5
7210.61.9200	---- Other, corrugated	15	0	0	5
7210.61.9900	---- Other	15	0	0	5
7212.50	Plated or coated with aluminium-zinc alloy				5
7212.50.2300	Plated or coated with aluminium-zinc alloy /Hoop & strip, width not exceeding 25mm	15	0	10	5
7212.50.2490	---- Other	15	0	10	5
7212.50.2910	---- Containing weight less than 0.6% of carbon	15	0	10	5
7212.50.2990	---- Other	15	0	10	5

Source: RMCD

29. During the verification visit, the IA observed that the Petitioner produced non-alloy steel plated or coated with aluminium and zinc and does not produce the PUI in corrugated or in profiled forms.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

30. Based on the verification process with cooperating foreign producers/exporters and a letter dated 10 July 2020 from the Petitioner, the IA observed that the Petitioner does not produce:

- flat rolled product of non-alloy steel, coated or plated with aluminium and zinc in “corrugated form” (under HS Code - 7210.61.9200); and
- flat rolled product of non-alloy steel, coated or plated with aluminium and zinc in “profiled form” (under HS Codes (Others) - 7212.50.2490, 7212.50.2910 and 7212.50.2990).

31. The IA also observed that although the subject merchandise can be further produced into “corrugated” and/or “profiled forms”, none of the participating foreign producers/exporters produce the subject merchandise in corrugated or profiled forms. Furthermore, the IA did not receive any feedback from importers pertaining to imports of the subject merchandise in corrugated or profiled forms.

32. Hence, the IA is of the view that the description of the subject merchandise be redefined as aluminium/zinc non-alloy coated steel sheet in coil form, manufactured through continuous hot-dip process. The product may come in coil form or not in coil form whether or not plain and may be skin-passed/processed on temper-mill or non-skin-passed, not painted whether or not including resin coating.

33. *****

Like Product

34. Article 2.6 of the WTO ADA and subsection 2(1) of the Act refer to the “like product” as a product that is identical or alike in all respects to the subject merchandise or, in the absence of such a product, another product although not alike in all respects has characteristics closely resembling the subject merchandise. In the case where the locally produced product and imported are not alike in all respects, the IA would assess whether they have characteristics closely resembling of each other in which these might include *inter alia* the grades, physical, chemical and functional characteristic.

35. For the purpose of this investigation, the IA shares similar stance of the Panel in EC – Salmon (Norway) which concluded that Articles 2.1 and 2.6 of the WTO ADA did not have to be interpreted to require the IA to have defined the product under consideration to include only products that are “like”.

36. Based on the questionnaire responses received from foreign producers/exporters and information made available, the IA is satisfied that the:

- subject merchandise exported to Malaysia is identical or comparable to the subject merchandise sold in the alleged countries; and
- like product produced by the Domestic Industry is identical or comparable to the subject merchandise originating or exported from the alleged countries.

C. ISSUES RAISED BY INTERESTED PARTIES

37. The IA circulated the NOEF on 31 October 2020. All interested parties were given until 9 November 2020 to submit their comments.

38. Issues raised by interested parties, either by cooperating producers/exporters of the subject merchandise or directly/through their appointed legal counsels or consultants during the Preliminary Determination and NOEF are addressed here. Whereas, issues raised by interested parties which are not covered in Part C of the report are addressed throughout the main body of this report in the IA's assessment regarding the dumping margin determination, injury evaluation, causal link, factors other than dumped imports and public interest.

The issues raised by interested parties are summarised and the responses are as follows:

39. **Kina Roof Industries (Sabah) Sdn. Bhd.: The inability to fulfil the demand from downstream domestic producers**

39.1 The company claims that NS Bluescope is unable to fulfil the demand by the downstream domestic producers (i.e. roller formers) due to its business model/strategy since the company produces patented product with fixed material standards and specifications i.e. thickness and supply that mainly caters for the higher-end market projects.

39.2 Traders are found to be importing finished "profiled steel products" and selling them in the domestic market at a very cheap price which poses a steep competition for producers like Kina Roof which has invested in "profiled forming machineries".

39.3 NS Bluescope does not cater to produce the subject merchandise in various specification i.e. base material thickness or coating mass especially those below the standards that NS Bluescope conforms to. Hence Kina Roof has to source the subject merchandise by importing from producers in Viet Nam.

39.4 Kina Roof submitted a price inquiry to Bluescope on a range of 59 specifications of the subject merchandise, however NS Bluescope had only responded to them with a price quotation for 3 specifications of the subject merchandise.

IA's Response

39.5 The IA notes that Bluescope has responded to Kina Roof's quotation inquiries on 14 August 2020 and 24 September 2020 respectively, in which it was highlighted that the:

- Petitioner has only provided quotation for goods that meet the requirements / requisite certification by CIDB. As such, the Petitioner does not produce goods that do not conform to the approved

standards under the CIDB Act 520 which requires the certification of MS1196:2014 and MS2500 standards;

- Petitioner can cater up to 78% of total domestic consumption or local demand in the POI if they run at full capacity; and
- AD investigation is conducted in accordance with the Act and WTO ADA.

39.6 In determining the causal link, it was established that dumping activities of the subject merchandise from PRC, ROK and Viet Nam have caused material injury to the Domestic Industry in accordance with subparagraph 23(1)(b)(i) of the Act and Article 3.5 of the WTO ADA during the POI.

39.7 The presence of dumping activity is also examined whereby the export prices of the subject merchandise sold to Malaysia from certain participating producers / exporters from the alleged countries have been proven to be below the normal value or selling price in their respective domestic markets. Hence, the determination of dumping margins has been established.

39.8 Importers have the option of sourcing imports of the subject merchandise from non-alleged countries or from foreign producers/exporters from the alleged countries who have not been imposed with AD duties.

39.9 The IA through the findings of the investigation is of the opinion that if no appropriate measure is taken against the dumped imports, the Domestic Industry will continue to suffer further injury based on the increasing trend of import of the subject merchandise from the alleged countries.

39.10 The AD measure is undertaken to allow for remedial action against the unfairly traded dumped subject merchandise. The AD duty seeks to increase the selling price of the subject merchandise from the alleged countries in the Malaysian market to be equal to the domestic sales price in these countries and will allow for the fair trading of the subject merchandise in the Malaysian market.

39.11 *****

40. **Rondo Metal Systems Sdn. Bhd.: Petitioner unable to fulfil the domestic demand**

40.1 The company claims that NS Bluescope is unable to fulfil the domestic demand and is experiencing shortage in its production. This was substantiated by two (2) evidence of correspondence between Rondo Metal Systems Sdn. Bhd. and the Petitioner.

40.2 It was also highlighted that the Petitioner has a total monopoly in the Malaysian market and there will not be any other alternative sources to

procure the PUI in the event anti-dumping duties are imposed at the final determination stage.

IA's Response

- 40.3 The IA is of the view that allegation of monopoly by NS Bluescope is baseless since the WTO ADA and the Act and its Regulations clearly do not prohibit a domestic producer with foreign ownership to submit a petition requesting the Government to initiate AD investigation provided that the Petitioner fulfils conditions as outlined in the WTO ADA and the Act.
- 40.4 In determining the causal link, it was established that dumping activities of the subject merchandise from PRC, ROK and Viet Nam have caused material injury to the Domestic Industry in accordance with subparagraph 23(1)(b)(i) of the Act and Article 3.5 of the WTO ADA during the POI.
- 40.5 The presence of dumping activity is also examined whereby the export prices of the subject merchandise sold to Malaysia from certain participating producers / exporters from the alleged countries have been proven to be below the normal value or selling price in their respective domestic markets. Hence, the determination of dumping margins has been established.
- 40.6 Importers have the option of sourcing imports of the subject merchandise from non-alleged countries or from foreign producers/exporters from the alleged countries who have not been imposed with AD duties.
- 40.7 The IA through the findings of the investigation is of the opinion that if no appropriate measure is taken against the dumped imports, the Domestic Industry will continue to suffer further injury based on the increasing trend of import of the subject merchandise from the alleged countries.
- 40.8 The AD measure is undertaken to allow for remedial action against the unfairly traded dumped subject merchandise. The AD duty seeks to increase the selling price of the subject merchandise from the alleged countries in the Malaysian market to be equal to the domestic sales price in these countries and will allow for the fair trading of the subject merchandise in the Malaysian market.

PRC

41. **Jiangyin Zongcheng Steel Co. Ltd.: Determination of Normal Value**

- 41.1 The company urged the IA to take the method of "specification to specification" in comparison between normal value and export price. Based on Article 2.4 of the WTO ADA. "A fair comparison shall be

made between the export price and the normal value. This comparison shall be made at the same level of trade, normally at the ex- factory level, and in respect of sales made at as nearly as possible the same time. Due allowance shall be made in each case, on its merits, for differences which affect price comparability, including differences in conditions and terms of sale, taxation, levels of trade, quantities, physical characteristics, and any other differences which are also demonstrated to affect price comparability. If in these cases price comparability has been affected, the authorities shall establish the normal value at a level of trade equivalent to the level of trade of the constructed export price or shall make due allowance as warranted under this paragraph. The authorities shall indicate to the parties in question what information is necessary to ensure a fair comparison and shall not impose an unreasonable burden of proof on those parties.”

- 41.2 The company separates specifications by thickness and zinc layer, different specification of products have very difference physical characteristics.

IA's Response

- 41.3 The IA takes note on the proposed comments by the company in ascertaining the dumping margin calculation. To note that a fair comparison has been made amongst all the products sold in the domestic market and exported to Malaysia since they are like products with similar specifications and end usage.
- 41.4 Based on section 18 of the Act and Article 2.4.2 of the WTO ADA, the Government has exercised a fair comparison in determining the dumping margin which shall normally be established on the basis of comparison of a weighted average normal value to a weighted average of prices of all comparable export transaction.
- 41.5 Therefore, all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margin calculation was done in accordance with the Act and the WTO ADA.

ROK

42. **KG Dongbu Steel Co. Ltd.: Weighted average methodology imposes unfairly overestimated dumping margin**

- 42.1 The current margin calculation by the IA using the weighted average sales price imposes unfairly overestimated dumping margin. As described in the initial response submitted by the company, the price of merchandise vary depending on various factors including physical differences. The single weighted average sales price simply ignores these key factors which cause major difference in price of each product type and result in a distorted anti-dumping margin. Applying product code adjustment in an identical product type basis would achieve fair comparison between export price and home market price.

IA's Response

42.2 the IA takes note on the proposed comments by the company in ascertaining the dumping margin calculations. It must be stressed that:

- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin; and
- all export transactions were compared to comparable products sold in the domestic market of the alleged country since these products are deemed to be alike and comparable in various aspects besides being substitutable in nature.

42.3 Therefore, all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margin calculation was done in accordance with the Act and the WTO ADA.

43. **POSCO Korea : Request for exclusion of POSMAC in the Federal Gazette**

43.1 The company acknowledges the IA's stance for not considering POSMAC under the scope of this this investigation and not considering POSCO Korea as an exporter of the subject merchandise. As such, it is requested that the IA to reflect the exclusion of POSMAC in the Final Determination Report, Notice of Final Determination and Customs (Anti-Dumping Duties) Order in order to facilitate trade and to prevent any miscommunication in future.

IA's Response

43.2 As claimed by POSCO-Korea, the IA noted that the product manufactured by POSCO-Korea i.e. POSMAC and imported by POSCO-MKPC does not fall under the definition of the PUI since the:

- i. PUI (also known as "GALVALUME®") is patented and registered as [55% Aluminium-Zinc] non-alloy coated sheet steel. However, POSMAC (Zn-3%Mg-2.5%Al) is a ternary alloy coated steel, composed of aluminium, zinc and magnesium;
- ii. key difference between PUI and POSMAC is the addition of magnesium which is not available in the PUI; and
- iii. usage of the PUI is for the construction industry which is not the same usage as POSMAC's targeted usage for manufacturers of electrical and electronic, agricultural sector and general industry.

43.3 For the purpose of making the final determination, the IA notes that POSCO Korea only exported POSMAC during the POI. The IA

acknowledges that POSCO Korea's export of POSMAC does not fall under the definition of the PUI. This is further confirmed by the evidences provided by POSCO Korea from the Customs Department of Korea in which the HS Code falls under the headings of HS Codes of 7210 49 for Galvanised Iron. The IA also has verified with RMCD, Standard Malaysia and SIRIM that POSMAC falls under the same headings of HS Codes of 7210 49 for Galvanised Iron.

- 43.4 Since the IA does not consider POSCO Korea as an exporter of the subject merchandise during the POID and decided not to calculate dumping margin for POSCO Korea, there is also no need for the IA to provide an exclusion for POSMAC since it clearly does not fall under the scope of this investigation.

VIET NAM

44. Ministry of Industry and Trade (MOIT) of Viet Nam: High dumping margins on Hoa Sen Group (HSG) and Ton Don A Corporation (TDA)

- 44.1 In the preliminary determination, imports from two (2) Vietnamese exporters namely HSG and TDA have been found with high dumping margins.
- 44.2 HSG submitted its questionnaire response on 2 May 2020 and further revised information on 20 May 2020. It seemed that the IA has not fully incorporated all information provided by HSG when calculating the dumping margin of this company as well as not provided detailed explanations in the preliminary determination report. It is hoped that the IA could verify all information provided by HSG in accordance with Article 6.6 of WTO ADA and request to employ such information provided by HSG in the calculation of the dumping margin. In any case, necessary information, including but not limited to the detailed calculation sheets shall be disclosed to interested parties.
- 44.3 Regarding TDA, the company submitted the questionnaire response on 2 May 2020. The company provided adjustments to direct sales cost on 14 May 2020 including discounts, commissions and advertising costs. It seems that the IA has not fully incorporated the adjustments in calculating the dumping margin of TDA during the preliminary determination. It is urged that the IA verify the information provided by TDA and if the information is accurate, it is requested that the IA to use the information to re-calculate the dumping margin of TDA in accordance with Article 6.6 of the WTO ADA.

IA's Response

- 44.4 MITI takes note on the issues highlighted by MOIT through a letter dated 28 September 2020.
- 44.5 MITI received an email from HSG's legal counsel on 20 May 2020 whereby it was highlighted that the data provided in Table D-4.2 (MY-SALE) and Table E-4.2 (DOM-SALE) submitted on 2 May 2020 were made for draft purposes and HSG had inadvertently forgot to delete a column on Product Code Number (PCN) in both Table D-4.2 (MY-SALE) and Table E-4.2 (DOM-SALE). Further, HSG has also emphasized that there was no other adjustment made to both tables other than the deletion of the column on PCN. However, the IA has verified that there were no substantial additional details were provided.
- 44.6 The IA during the verification process obtained confirmation from HSG that the submission made on 20 May 2020 with the deletion of PCN column in both Table D-4.2 (MY-SALE) and Table E-4.2 (DOM-SALE) does not lead to any changes in the data of both Table D-4.2 (MY-SALE) and Table E-4.2 (DOM-SALE) as submitted on 2 May 2020. In this regard, to note that the IA has utilised the data submitted by HSG on 2 May 2020 since these data are similar data that was submitted on 20 May 2020 for the calculation of the dumping margin for the preliminary determination. It must be stressed that in accordance with regulation 9(4) of the Regulations, any reply to the questionnaire submitted to the Government after the due date shall not be considered.
- 44.7 For TDA, the IA intends to highlight that the adjustments claimed by the company to its direct sales costs i.e. discounts, commissions and advertising costs for domestic sales were not reasonable to be incorporated. However, TDA legal counsel's email on 14 May 2020 highlighted that the data provided in Table B-4.3 on product comparison were corrections on typographical errors. Thus, the data remains the same. As such, the IA has taken into consideration all adjustment for domestic sales as claimed or provided by TDA.
- 44.8 For TDA issue, it must be stressed that according to regulation 32(4) of the Regulations, the Government may disregard adjustments to normal value or export price which are insignificant. Furthermore, based on section 18 of the Act and also Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in determining the dumping margin.
- 44.9 To respond to MOIT's concerns, it must also be stressed that the investigation is carried out in a fair and objective manner, in compliance with all requirements of the WTO ADA and the Act making it transparent and conducive for foreign producers/exporters to cooperate and provide their comments and views throughout the investigation process. Based on the facts and figures obtained from the submissions,

the methodology and sufficient information on the dumping margins calculation in the English language were presented to both parties in the Preliminary Determination report.

45. **Tan Phuoc Khanh Trading: Erroneous dumping margin calculation**

45.1 The IA failed erroneously treated distinct and separate concepts of “like product” and “comparable product” as one and the same and this has caused serious error in arriving at the company’s normal value and dumping margin calculations.

45.2 For the purpose of this Act, the normal value shall be the comparable price actually paid or payable in the ordinary course of trade for the like product sold for consumption in the domestic market of the exporting country.

45.3 In the absence of rejection of information and evidence supplied by TPK as set out in TPK’s verification report, Paragraph 3 of Annex II: Best Information Available in terms of Paragraph 8 of Article 6 of the WTO ADA provides that TPK’s PCN classification must be taken into account by the IA:

“All information which is verifiable, which is appropriately submitted so that it can be used in the investigation without undue difficulties, which is supplied in a timely fashion, and, where applicable, which is supplied in a medium or computer language requested by the authorities, should be taken into account when determinations are made....”

IA’s Response

45.4 The IA takes note on the proposed comments by the company in ascertaining the dumping margin calculation. It must be stressed that:

- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin; and
- all export transactions were compared to comparable products sold in the domestic market of the alleged country since these products are deemed to be alike and comparable in various aspects besides being substitutable in nature.

45.5 The IA emphasizes that all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margin calculation was done in accordance with the Act and the WTO ADA.

45.6 The Preliminary Determination report and the Notice of Essential Facts report provided by the IA to all interested parties contain sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the

WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the methodology used in the establishment and comparison of the export price and the normal value.

- 45.7 The Act and Article 12.2.2 of the WTO ADA do not specifically require the Government to disclose the detailed dumping margin calculation in the notice as concluded in the panel report China – definite AD duties on X-Ray Security Inspection Equipment from the European Union dated 26.2.2013 (WTO Dispute Settlement Report) as follows:

The panel in China - X-Ray Security Inspection Equipment pointed out that Article 12.2.2 does not require that all “essential facts” underlying dumping calculations, or the calculation themselves be included in the public notice. [emphasis added]

- 45.8 The IA must stress with great emphasis the IA had not resorted to construction of any information, neither utilised Best Facts Available as claimed to have been reflected in the summary of documents provided during the verification process and not the verification report. As such, there is no obligation for the IA to inform the company or provide reasonable opportunity for them to provide clarification prior making the final determination since the IA had not resorted to using Best Facts Available as provided for under section 41 of the Act and Article 6.8 of WTO ADA. [emphasis added]

46. **Ton Dong A Corporation: Erroneous normal value calculation and Other Issues**

- 46.1 The IA erroneously treated distinct and separate concepts of “like product” and “comparable product” as one and the same and this has caused serious error in arriving at the normal value.
- 46.2 The IA failed / refused to make adjustment for verified adjustment request to the normal value resulting in erroneous calculated normal value.
- 46.3 In the absence of rejection of information and evidence supplied by TDA as set out in TDA’s verification report, paragraph 3 of Annex II: Best Information Available in terms of Paragraph 8 of Article 6 of the WTO ADA provides that TDA’s PCN classification must be taken into account by the IA:

All information which is verifiable, which is appropriately submitted so that it can be used in the investigation without undue difficulties, which is supplied in a timely fashion, and, where applicable, which is supplied in a medium or computer language requested by the authorities, should be taken into account when determinations are made....”

- 46.4 In breach of the doctrine of natural justice, it was highlighted that the Malaysian Steel Institute (MSI), an agency of the Ministry of International Trade & Industry (MITI) (the same ministry the IA is under the purview of) provided advice and assistance to the Petitioner in filing the anti-dumping petition.
- 46.5 Investigation initiated over 7.5 months after the end of the POI / POID.
- 46.6 Exemption for PUI imported in Licensed Manufactured Warehouse (LMW) and Free Trade Zones (FTZ) – whereby the IA's position is that no provision under the WTO ADA and the Act on exclusion of AD duties to LMW or FTZ status companies is inconsistent with the provision of the Customs Act 1967 and the Act. Item 37 under the Customs Duties (Exemption) Order 2017; Section 2, Customs Act 1967 have been cited as provisions.
- 46.7 Exemption for PUI imported to produce pre-painted colour coated galvanised iron (PPGI) – the IA had failed to appreciate that the Petitioner conceded that the PUI used to produce PPGI is outside the scope of the investigation and as such could not have injured the Petitioner. The IA's determination of the scope of the PUI is erroneous and undermines its injury analysis. Until and unless the IA properly exclude irrelevant products like PUI imported in LMW and used to make PPGI, the IA's analysis in this respect remains flawed.

IA's Response

- 46.8 The IA takes note on the proposed comments by the company in ascertaining the dumping margin calculation. It must be stressed that:
- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin; and
 - all export transactions were compared to comparable products sold in the domestic market of the alleged country since these products are deemed to be alike and comparable in various aspects besides being substitutable in nature.
- 46.9 The IA emphasizes that all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margin calculation was done in accordance with the Act and the WTO ADA.
- 46.10 The Preliminary Determination report and the Notice of Essential Facts report provided by the IA to all interested parties contain sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the

methodology used in the establishment and comparison of the export price and the normal value.

- 46.11 The Act and Article 12.2.2 of the WTO ADA do not specifically require the Government to disclose the detailed dumping margin calculation in the notice as concluded in the panel report China – definite AD duties on X-Ray Security Inspection Equipment from the European Union dated 26.2.2013 (WTO Dispute Settlement Report) as follows:

The panel in China - X-Ray Security Inspection Equipment pointed out that Article 12.2.2 does not require that all “essential facts” underlying dumping calculations, or the calculation themselves be included in the public notice. [emphasis added]

- 46.12 The IA must stress with great emphasis the IA had not resorted to construction of any information, neither utilised Best Facts Available as claimed to have been reflected in the summary of documents provided during the verification process and not the verification report. As such, there is no obligation for the IA to inform the company or provide reasonable opportunity for them to provide clarification prior making the final determination since the IA had not resorted to using Best Facts Available as provided for under section 41 of the Act and Article 6.8 of WTO ADA. [emphasis added]
- 46.13 It must be also stressed that the IA is a separate and independent entity from MSI and conducts the investigation without any interference or influence from other parties including agencies under MITI, which include MSI. The company has made gravely and unsubstantiated allegations that MSI has advised the petitioner and the IA in the investigation. The investigation is carried out by the IA whose power has been delegated by the Minister under the Act. MSI is not the IA and not delegated with such power, thus the perception of biasness could not exist. For this investigation, the decision to initiate the investigation comes from the evaluation on facts that were presented to the IA.
- 46.14 On the initiation, the IA would like to highlight that there is no legal or factual basis for any interested party to challenge the same in view of such exceptional circumstances. The deadline for the initiation of investigation was delayed from 29 February 2020 to 17 March 2020 (17 days) due to the political changes in the country that occurred on 24 February 2020.
- 46.15 No provisions for exemption of anti-dumping duties is provided under the Act and WTO ADA. This includes exemption of AD duties for subject merchandise imported in LMW and FTZ. Further, the AD investigation is governed by the Act and WTO ADA and not governed by Item 37 of the Customs Duties (Exemption) Order 2017 and Section 2 of the Customs Act 1967.

- 46.16 The subject merchandise namely, flat rolled product of non-alloy steel coated or plated with aluminium and zinc is not the like product of PPGI. Reason being is that PPGI falls under totally different descriptions and different HS Codes in the Customs Duties Order 2017. Further, PPGI has glaring and obvious differences, not limited to the specifications, chemical compositions, physical characteristics, end-usage, pricing and other aspects from the subject merchandise.
- 46.17 To note that the subject merchandise cannot in any way be used to produce PPGI as only Galvanised Iron can produce PPGI. While, the subject merchandise can only be used to produce PPGL or pre-painted colour coated galvalume as it commonly known. Hence, the claim by TDA is erroneous and illogical.

47. **Maruichi Sun Steel Joint Stock Company: Dumping margin calculation and other issues**

- 47.1 The company highlighted irregularity in the initiation of the investigation as the delay in the initiation outside 6 months' time frame casts serious doubts on the efficacy of data provided in the investigation. This is against Regulation 26(1) of the Regulations.
- 47.2 With regards to supply issues, it was highlighted that Malaysian companies consuming the PUI stated that the Petitioner is unable to keep up with the demand.
- 47.3 The IA needs to consider whether having a foreign owned sole monopoly is in public interest.
- 47.4 The company did not receive a detailed calculation sheet for which it was unable to examine figures and calculations used by the IA to determine the proposed dumping margin and does not have the ability to provide any meaningful comments to the NOEF. It was also claimed that no details were provided as to how the export price and normal value were determined.
- 47.5 There has been an increase in the dumping margin determined by the IA from the PD to the NOEF findings. As such, should there be an affirmative finding, the company is requesting the IA to consider applying the lower dumping margin, and to take into account the adjustments proposed for the normal value to result a fair comparison.
- 47.6 The company also stated that no injury has been suffered by the domestic industry due to imports of the PUI from them.

IA's Response

- 47.7 The IA must stress that there is no legal or factual basis for any interested party to challenge the irregularities in the initiation process of the investigation in lieu of such exceptional circumstances. The

deadline for the initiation of investigation was delayed from 29 February 2020 to 17 March 2020 (17 days) due to the political changes in the country that occurred on 24 February 2020.

47.8 The IA takes note on the proposed comments by the company in ascertaining the dumping margin calculation. It must be stressed that:

- the details and the methodology provided on the dumping margin calculation in the Preliminary Determination report were sufficient enough for interested parties to ascertain the dumping margin; and
- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin.

47.9 The IA is of the view that allegation of monopoly by NS Bluescope is baseless since the WTO ADA and the Act and its Regulations clearly do not prohibit a domestic producer with foreign ownership to submit a petition requesting the Government to initiate AD investigation provided that the Petitioner fulfils conditions as outlined in the WTO ADA and the Act.

47.10 In determining the causal link, it was established that dumping activities of the subject merchandise from PRC, ROK and Viet Nam have caused material injury to the Domestic Industry in accordance with subparagraph 23(1)(b)(i) of the Act and Article 3.5 of the WTO ADA during the POI.

47.11 The Act and Article 12.2.2 of the WTO ADA do not specifically require the Government to disclose the detailed dumping margin calculation in the notice as concluded in the panel report China – definite AD duties on X-Ray Security Inspection Equipment from the European Union dated 26.2.2013 (WTO Dispute Settlement Report) as follows:

The panel in China - X-Ray Security Inspection Equipment pointed out that Article 12.2.2 does not require that all “essential facts” underlying dumping calculations, or the calculation themselves be included in the public notice. [emphasis added]

47.12 The presence of dumping activity is examined whereby the export prices of the subject merchandise sold to Malaysia from certain participating producers / exporters from the alleged countries have been proven to be below the normal value or selling price in their respective domestic markets. Hence, the determination of dumping margins has been established.

47.13 Based on the verified information, the Petitioner has been supplying the PUI to the domestic market since its establishment in 1996. Further, the Petitioner produces the PUI that conform to the approved standards

under the CIDB Act 520 which requires the certification of MS1196:2014 and MS2500 standards.

47.14 Importers also have the option of sourcing imports of the subject merchandise from non-alleged countries or from foreign producers/exporters from the alleged countries who have not been imposed with AD duties.

47.15 The IA in the Preliminary Determination and Notice of Essential Facts reports to all interested parties has provided sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the methodology used in the establishment and comparison of the export price and the normal value.

48. **Tay Nam Steel Manufacturing and Trading Co. Ltd: Request for detailed calculations for export price and normal value and other issues**

48.1 The company did not receive a detailed calculation sheet making it unable to examine figures and calculations used by the IA to determine the proposed dumping margin calculations. The IA's failure to provide details on how export price and normal value were determined makes the dumping margin set for Tay Nam erroneous.

48.2 The company deduced that IA considered the export price of Vina One to determine the export price of Tay Nam / Vina One in the preliminary determination report. Premised on the above, the IA's decision to rely on subsection 16(2) of Act 504, Regulation 26 of the Regulations and Article 2.2 of the ADA to construct export price is misconceived and ought to be reconsidered. Tay Nam humbly requests the IA to revise the calculation of its export price by using fair principles to allow for a proper comparison.

48.3 Without prejudice to the above, Tay Nam states that the PUI was sold to Malaysia by Tay Nam solely through its related company, Vina One where Vina One acted as a sales department for Tay Nam. Therefore, the actual export price of the product exported by Tay Nam through its related company Vina One is available to consideration. Tay Nam requests for the IA to only consider the actual export price of Vina One to an independent buyer and not the domestic purchase price from Tay Nam to Vina One.

48.4 The company urged the IA to take into account VAT refund received by Vina One (stated to act as the sales department for Tay Nam) on its exports, for the reasons that there are no VAT on export sales and Vina One received refund on VAT paid on inputs relating to the export sales.

48.5 The company stated that no injury has been suffered by the domestic industry due to imports of the PUI from them. It was also raised that the imposition of anti-dumping duties is not in the public interest due to the foreign ownership of the Petitioner, absolute monopoly by the Petitioner and the Petitioner's inability to meet local demand.

IA's Response

48.6 The IA must stress that:

- the details and the methodology provided on the dumping margins calculation in the Preliminary Determination report were sufficient enough for interested parties to ascertain the dumping margin;
- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin; and
- all export transactions were compared to comparable products sold in the domestic market of the alleged country since these products are deemed to be alike and comparable in various aspects besides being substitutable in nature.

48.7 Therefore, all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margins calculation was done in accordance with the Act and the WTO ADA.

48.8 The Preliminary Determination report and Notice of Essential Facts report provided by the IA to all interested parties contain sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the methodology used in the establishment and comparison of the export price and the normal value.

48.9 The Act and Article 12.2.2 of the WTO ADA do not specifically require the Government to disclose the detailed dumping margin calculation in the notice as concluded in the panel report China – definite AD duties on X-Ray Security Inspection Equipment from the European Union dated 26.2.2013 (WTO Dispute Settlement Report) as follows:

The panel in China - X-Ray Security Inspection Equipment pointed out that Article 12.2.2 does not require that all “essential facts” underlying dumping calculations, or the calculation themselves be included in the public notice. [emphasis added]

48.10 In the calculation of the dumping margin for Tay Nam, the IA considered that the domestic sales made by Tay Nam to Vina One (a related trader to Tay Nam) are in accordance with the market price and

contained element of profit. It was also verified that the transaction was in the form of arm's length transaction and the export price was determined based on the ex-factory price from Tay Nam.

48.11 The issue raised on the monopoly and foreign ownership of Bluescope are baseless since the WTO ADA and the Act and its Regulations clearly do not prohibit a domestic producer with foreign ownership to submit a petition requesting the Government to initiate AD investigation provided that the Petitioner fulfils conditions as outlined in the WTO ADA and the Act.

48.12 The AD measure is undertaken to allow for remedial action against the unfairly traded dumped subject merchandise. Section 20 of the Act and regulation 7 of the Regulations have clearly outlined the principles for the initiation of an AD investigation, as well as the locus standi of a "Domestic Industry". While, section 25 of the Act explained on the affirmative final determination, i.e. imposition of AD duties. Further, information provided by the Petitioner has been verified and the AD investigation has been conducted according to the WTO ADA and the Act.

48.13 With regards to the claim that the Petitioner's inability to fulfil the domestic demand is inaccurate. Based on the verified information, the Petitioner has been supplying the PUI to the domestic market since its establishment in 1996. Further, the Petitioner produces the PUI that conform to the approved standards under the CIDB Act 520 which requires the certification of MS1196:2014 and MS2500 standards.

49. **Nam Kim Steel Joint Stock Company: Erroneous dumping margin calculation**

49.1 The IA failed erroneously treated distinct and separate concepts of "*like product*" and "*comparable product*" as one and the same and this has caused serious error in arriving at the company's normal value and dumping margin calculations.

49.2 For the purpose of this Act, the normal value shall be the comparable price actually paid or payable in the ordinary course of trade for the like product sold for consumption in the domestic market of the exporting country.

49.3 In the absence of rejection of information and evidence supplied by Nam Kim as set out in Nam Kim's verification report, Paragraph 3 of Annex II: Best Information Available in terms of Paragraph 8 of Article 6 of the WTO ADA provides that Nam Kim's PCN classification must be taken into account by the IA:

"If evidence or information is not accepted, the supplying party should be informed forthwith of the reasons therefor, and should have an opportunity to provide further explanations within a reasonable period,

due account being taken of the time-limits of the investigation. If the explanations are considered by the authorities as not being satisfactory, the reasons for the rejection of such evidence or information should be given in any published determinations.”

IA’s Response

49.4 The IA takes note on the proposed comments by the company in ascertaining the dumping margin calculation. It must be stressed that:

- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin; and
- all export transactions were compared to comparable products sold in the domestic market of the alleged country since these products are deemed to be alike and comparable in various aspects besides being substitutable in nature.

49.5 The IA emphasizes that all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margin calculation was done in accordance with the Act and the WTO ADA.

49.6 The Preliminary Determination report and the Notice of Essential Facts report provided by the IA to all interested parties contain sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the methodology used in the establishment and comparison of the export price and the normal value.

49.7 The IA must stress with great emphasis the IA had not resorted to construction of any information, neither utilised Best Facts Available as claimed to have been reflected in the summary of documents provided during the verification process and not the verification report. As such, there is no obligation for the IA to inform the company or provide reasonable opportunity for them to provide clarification prior making the final determination since the IA had not resorted to using Best Facts Available as provided for under section 41 of the Act and Article 6.8 of WTO ADA. [emphasis added]

50. **Hoa Sen Group: Erroneous dumping margin calculation**

50.1 The IA failed erroneously treated distinct and separate concepts of “*like product*” and “*comparable product*” as one and the same and this has caused serious error in arriving at the company’s normal value and dumping margin calculations.

- 50.2 For the purpose of this Act, the normal value shall be the comparable price actually paid or payable in the ordinary course of trade for the like product sold for consumption in the domestic market of the exporting country.
- 50.3 Paragraph 6 of Annex II: Best Information Available in terms of Paragraph 8 of Article 6 of the WTO ADA places the onus that the IA should inform the company if any of its information or evidence is rejected. If any of the company's information is not accepted, they must be duly informed or heard:
- “If evidence or information is not accepted, the supplying party should be informed forthwith of the reasons therefor, and should have an opportunity to provide further explanations within a reasonable period, due account being taken of the time-limits of the investigation. If the explanations are considered by the authorities as not being satisfactory, the reasons for the rejection of such evidence or information should be given in any published determinations.”*
- 50.4 Non-disclosure of the calculation worksheet in the NOEF does not reflect transparency in the investigation.
- 50.5 Investigation initiated over 7.5 months after the end of the POI / POID.
- 50.6 Exemption for PUI imported in Licensed Manufactured Warehouse (LMW) and Free Trade Zones (FTZ) – whereby the IA's position is that no provision under the WTO ADA and the Act on exclusion of AD duties to LMW or FTZ status companies is inconsistent with the provision of the Customs Act 1967 and the Act. Item 37 under the Customs Duties (Exemption) Order 2017; Section 2, Customs Act 1967 have been cited as provisions.
- 50.7 Exemption for PUI imported to produce pre-painted colour coated galvanised iron (PPGI) – the IA had failed to appreciate that the Petitioner conceded that the PUI used to produce PPGI is outside the scope of the investigation and as such could not have injured the Petitioner. The IA's determination of the scope of the PUI is erroneous and undermines its injury analysis. Until and unless the IA properly exclude irrelevant products like PUI imported in LMW and used to make PPGI, the IA's analysis in this respect remains flawed.

IA's Response

- 50.8 The IA takes note on the proposed comments by the company in ascertaining the dumping margin calculation. It must be stressed that:
- based on section 18 of the Act and Article 2.4 of the WTO ADA, the Government has exercised a fair comparison in ascertaining the normal value and export price to determine the dumping margin; and

- all export transactions were compared to comparable products sold in the domestic market of the alleged country since these products are deemed to be alike and comparable in various aspects besides being substitutable in nature.

50.9 The IA emphasizes that all products are considered as the like product of the subject merchandise in the investigation. The methodology for dumping margin calculation was done in accordance with the Act and the WTO ADA.

50.10 The Preliminary Determination report and the Notice of Essential Facts report provided by the IA to all interested parties contain sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the methodology used in the establishment and comparison of the export price and the normal value.

50.11 The IA must stress with great emphasis the IA had not resorted to construction of any information, neither utilised Best Facts Available as claimed to have been reflected in the summary of documents provided during the verification process and not the verification report. As such, there is no obligation for the IA to inform the company or provide reasonable opportunity for them to provide clarification prior making the final determination since the IA had not resorted to using Best Facts Available as provided for under section 41 of the Act and Article 6.8 of WTO ADA. [emphasis added]

50.12 The Preliminary Determination report and the Notice of Essential Facts report provided by the IA to all interested parties contain sufficient details of findings i.e. in accordance with subparagraph 12.2.1(iii) of the WTO ADA. Details provided include the establishment of dumping margins, as well as a full explanation of the reasons for the methodology used in the establishment and comparison of the export price and the normal value

50.13 The Act and Article 12.2.2 of the WTO ADA do not specifically require the IA to disclose the detailed dumping margin calculation in the notice as concluded in the panel report China – definite AD duties on X-Ray Security Inspection Equipment from the European Union dated 26.2.2013 (WTO Dispute Settlement Report) as follows:

The panel in China - X-Ray Security Inspection Equipment pointed out that Article 12.2.2 does not require that all “essential facts” underlying dumping calculations, or the calculation themselves be included in the public notice. [emphasis added]

- 50.14 The IA must stress with great emphasis the IA had not resorted to construction of any information, neither utilised Best Facts Available as claimed to have been reflected in the summary of documents provided during the verification process and not the verification report. As such, there is no obligation for the IA to inform the company or provide reasonable opportunity for them to provide clarification prior making the final determination since the IA had not resorted to using Best Facts Available as provided for under section 41 of the Act and Article 6.8 of WTO ADA. [emphasis added]
- 50.15 On the initiation, the IA would like to highlight that there is no legal or factual basis for any interested party to challenge the same in view of such exceptional circumstances. The deadline for the initiation of investigation was delayed from 29 February 2020 to 17 March 2020 (17 days) due to the political changes in the country that occurred on 24 February 2020.
- 50.16 No provisions for exemption of anti-dumping duties is provided under the Act and WTO ADA. This includes exemption of AD duties for subject merchandise imported in LMW and FTZ. Further, the AD investigation is governed by the Act and WTO ADA and not governed by Item 37 of the Customs Duties (Exemption) Order 2017 and Section 2 of the Customs Act 1967.
- 50.17 The subject merchandise namely, flat rolled product of non-alloy steel coated or plated with aluminium and zinc is not the like product of PPGI. Reason being is that PPGI falls under totally different descriptions and different HS Codes in the Customs Duties Order 2017. Further, PPGI has glaring and obvious differences, not limited to the specifications, chemical compositions, physical characteristics, end-use, pricing and other aspects from the subject merchandise.
- 50.18 To note that the subject merchandise cannot in any way be used to produce PPGI as only Galvanised Iron can produce PPGI. While, the subject merchandise can only be used to produce PPGL or pre-painted colour coated galvalume as it commonly known. Hence, the claim by TDA is erroneous and illogical.

D. DETERMINATION OF DUMPING MARGIN

Methodology

51. Dumping margins were established for cooperating producers/exporters, by comparing the weighted average normal value of the subject merchandise sold in the domestic market of the alleged exporting country with the corresponding weighted average export prices to the Malaysian market. The comparisons were made at the same level of trade, at ex-factory level in respect of sales reported by the cooperating producers/exporters.

52. Subsection 16 (1) of the Act states that “the normal value shall be the comparable price actually paid or payable in the ordinary course of trade for the like product sold for consumption in the domestic market of the exporting country”.

53. Subsection 16 (3) of the Act states that if the sale of the like product under subsection 16 (1) of the Act is at a price below unit production costs (fixed and variable) plus selling, administrative and other general expenses, the sale may be treated as not having been made in the ordinary course of trade by reason of price and may be disregarded in determining normal value only if the Government determines that such sale was made within an extended period of time in substantial quantities and is at a price that does not provide for the recovery of all costs within a reasonable period of time.

54. On circumstances when there is no sales in the domestic market of the exporting country under subsection 16 (1) of the Act, or when such sales do not permit a proper comparison, the normal value is determined either by using the methods provided in paragraph 16 (2) (a) of the Act, i.e. by comparison with a comparable price of the like product when exported to an appropriate third country provided that the comparable price is representative; or paragraph 16 (2) (b) of the Act, i.e. by constructing the value of the subject merchandise by adding cost of production in the country of origin plus a reasonable amount for selling, administrative and other general expenses and for profits.

55. Subsection 17 (1) of the Act provides that the export price shall be the price actually paid or payable for the subject merchandise. Subsection 18 (1) of the Act provides a fair comparison shall be made between the export price and the normal value.

56. Section 41 of the Act states that where any interested party refuses access to, or otherwise does not provide necessary information within a reasonable period or significantly impedes an investigation or review, including refusal to allow verification of its information, preliminary and final determinations in investigations or reviews under this Act may be made on the basis of the facts available, including the facts contained in the petition received under subsection 4 (1) or 20 (1) of the Act, as the case may be.

57. For the purpose of this investigation, the IA calculated the normal value and the export price in Chinese Renminbi (RMB), Korean Won (KRW) and Vietnamese Dong (VND) where appropriate. The IA adopted the exchange rate based on the actual exchange rate submitted by the exporters. Where the actual exchange rate is not provided or not known, the IA used the exchange rate provided by the Bank Negara Malaysia.

PRC

58. Questionnaires were distributed to producers/exporters from PRC who were named in the Petition and believed to be exporting the subject merchandise into Malaysia in order to determine normal value and export price for the subject merchandise.

59. Four (4) producers/exporters from PRC responded to the Questionnaires and submitted the information on their sales of the subject merchandise into the Malaysian market and their domestic market. The producers/exporters are Shandong Bofeng New Material Co. Ltd. (Bofeng), Shanghai Minmetals Development Ltd. (Minmetals), Jiangyin Zongcheng Steel Co. Ltd. (JYZC) and Yieh Phui (China) Technomaterial Co. Ltd. (YPC).

Shandong Bofeng New Material Co. Ltd. (Bofeng)

60. The submission explained that Bofeng is a producer of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by Bofeng.

Normal Value

61. Bofeng in its response stated that sales to the domestic market were made to its ***. Bofeng stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at RMB*** before VAT and RMB*** after VAT.

62. The IA noted that Bofeng provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

63. In examining the information provided by Bofeng, the IA identified sales to the domestic market during POI i.e. ***MT valued at RMB*** before VAT and RMB*** after VAT. The IA noted that all sales of the subject merchandise in the domestic market are above cost throughout the POI. Therefore, the IA used all identified sales transactions in calculating the normal value.

64. Bofeng in their submission claimed that some of their domestic sales were made at *** term. Bofeng requested due allowances for ***. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in the PRC pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowance for ***. The normal value for Bofeng is RMB*** as shown in Appendix 1.

Export Price

65. In determining the export price for Bofeng, the IA examined the information provided by Bofeng on the export sales of subject merchandise into Malaysia. Bofeng in its response stated that export sales into Malaysia were made to ***.

66. The sales listing consists of ***MT valued at RMB*** of export sales. The invoices submitted were on *** basis. Bofeng stated that all other expenses incurred for export sales were borne by ***. Bofeng requested due allowance for ***.

67. The export price determination was based on the export sales listing made available by Bofeng. To arrive at ex-factory price, the IA deducted allowances claimed on *** and *** on the export price as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for Bofeng is RMB*** as shown in Appendix 1.

Dumping Margin

68. Based on information available to the IA, the weighted average dumping margin established for Bofeng expressed as a percentage of the export price is 2.18%. Details of the calculation are as shown in Appendix 1.

Jiangyin Zongcheng Steel Co. Ltd. (JYZC)

69. The submission explained that JYZC is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by JYZC.

Normal Value

70. JYZC in its response stated that sales to the domestic market were made to its ***. JYZC stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at RMB*** before VAT and RMB*** after VAT.

71. The IA noted that JYZC provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

72. In examining the information provided by JYZC, the IA identified sales to the domestic market during POI i.e. ***MT valued at RMB*** before VAT and RMB*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used profitable domestic sales transactions in calculating the normal value.

73. JYZC in their submission claimed that some domestic sales in the PRC were made at *** and *** basis. JYZC requested due allowances for *** and ***.

74. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in the PRC pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowance for ***. The normal value for JYZC is RMB*** as shown in Appendix 1.

Export Price

75. In determining the export price for JYZC, the IA examined the information provided by JYZC on the export sales of subject merchandise into Malaysia. JYZC in its response stated that export sales into Malaysia were made to its ***.

76. The sales listing consists of ***MT valued at RMB*** of export sales. The invoices submitted were on ***, *** and *** basis. JYZC requested due allowances for ***, ***, ***, ***, ***, ***, *** and ***.

77. The export price determination was based on the export sales listing made available by JYZC. To arrive at ex-factory price, the IA deducted *** and *** claimed on the export price as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for JYZC is RMB*** as shown in Appendix 1.

Dumping Margin

78. Based on information available to the IA, the weighted average dumping margin established for JYZC expressed as a percentage of the export price is 10.39%. Details of the calculation are as shown in Appendix 1.

Yieh Phui (China) Technomaterial Co. Ltd. (YPC)

79. The submission explained that YPC is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by YPC.

Normal Value

80. YPC in its response stated that sales to the domestic market were made to its ***, *** and ***. YPC stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at RMB*** before VAT and RMB*** after VAT.

98. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in the ROK pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted ***, ***, ***, ***, *** and *** requested by Dongbu Steel. The normal value for Dongbu Steel is KRW*** as shown in Appendix 1.

Export Price

99. In determining the export price for Dongbu Steel, the IA examined the information provided by Dongbu Steel on the export sales of subject merchandise into Malaysia. Dongbu Steel in its response stated that export sales into Malaysia were made through its ***.

100. The sales listing consists of ***MT valued at KRW*** of export sales. The invoices submitted were on *** basis. Dongbu Steel requested due allowances for ***, ***, ***, ***, *** and ***.

101. The export price determination was based on the export sales listing made available by Dongbu Steel. To arrive at ex-factory price, the IA deducted *** on the export price as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for Dongbu Steel is KRW*** as shown in Appendix 1.

Dumping Margin

102. Based on information available to the IA, the weighted average dumping margin established for Dongbu Steel expressed as a percentage of the export price is 9.98%. Details of the calculation are as shown in Appendix 1.

POSCO-Korea

103. As claimed by POSCO-Korea, the IA noted that the product manufactured by POSCO-Korea i.e. POSMAC and imported by POSCO-MKPC does not fall under the definition of the PUI since the:

- iv. PUI (also known as “GALVALUME®”) is patented and registered as [55% Aluminium-Zinc] non-alloy coated sheet steel. However, POSMAC (Zn-3%Mg-2.5%Al) is a ternary alloy coated steel, composed of aluminium, zinc and magnesium;
- v. key difference between PUI and POSMAC is the addition of magnesium which is not available in the PUI; and
- vi. usage of the PUI is for the construction industry which is not the same usage as POSMAC’s targeted usage on electronics manufacturers and agricultural & general industry.

104. For the purpose of making the final determination, the IA notes that POSCO Korea only exported POSMAC during the POI. Based on the data submitted by the company via softcopy and hardcopies for the IA to verify since the company could not agree to a video-conference for the verification in September 2020 due to a lockdown in Korea, the IA agrees that POSCO Korea's export of POSMAC does not fall under the subject merchandise. This is further confirmed by the evidences provided POSCO Korea from the Customs Department of Korea as well as based on discussions and checking with RMCD that POSMAC falls under the headings of HS Codes of 7210 49 for Galvanised Iron.

105. Therefore, the IA does not consider POSCO Korea as an exporter of the subject merchandise and decided not to calculate dumping margin for POSCO Korea.

Non-cooperating Producers/Exporters from Republic of Korea

106. Producers/Exporters that failed to respond to the foreign producer's/exporter's questionnaire distributed by the IA in the investigation is considered as non-cooperating producers/exporters. As such, the IA shall make the determination of dumping margin based on facts available as stipulated under section 41 of the Act.

Dumping Margin

107. Based on information available to the IA, the weighted average dumping margin established for non-cooperating producers/exporters expressed as a percentage of the export price is 34.94%. Details of the calculation are as shown in Appendix 1.

Viet Nam

108. Questionnaires were distributed to producers/exporters from Viet Nam who were named in the Petition and believed to be exporting the subject merchandise into Malaysia in order to determine normal value and export price for the subject merchandise.

109. Ten (10) producers/exporters from Viet Nam responded to the Questionnaires and submitted the information on their sales of the subject merchandise into the Malaysian market and their domestic market. The producers/exporters are Hoa Sen Group (HSG), Hoa Phat Steel Sheet Company (HPSS), Maruichi Sun Steel Joint Stock Company (Maruichi), Nam Kim Steel Joint Stock Company (NKG), Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC (TPK), Ton Dong A Corporation (TDA), Southern Steel Sheet Co., Ltd. (SSSC), Tay Nam Steel Manufacturing & Trading Co., Ltd. (Tay Nam), Vina One Steel Manufacturing Corporation (Vina One) and Pomina Flat Steel Company Limited (Pomina).

Hoa Sen Group (HSG)

110. The submission explained that HSG is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by HSG.

Normal Value

111. HSG in its response stated that sales to the domestic market were made to its *** and *** and ***. HSG stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

112. The IA noted that HSG provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

113. In examining the information provided by HSG, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used profitable domestic sales transactions in calculating the normal value.

114. HSG in their submission claimed that some domestic sales in Viet Nam were made at *** and *** basis. HSG requested due allowances for ***, ***, ***, *** and ***.

115. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted ***, ***, *** and *** as requested by HSG. The normal value for HSG is VND*** as shown in Appendix 1.

Export Price

116. In determining the export price for HSG, the IA examined the information provided by HSG on the export sales of subject merchandise into Malaysia. HSG in its response stated that export sales into Malaysia were made to its *** and ***.

117. The sales listing consists of ***MT valued at VND*** of export sales. The invoices submitted were on *** and *** basis. HSG requested due allowances for ***, ***, ***, ***, *** and ***.

118. The export price determination was based on the export sales listing made available by HSG. To arrive at ex-factory price, the IA deducted *** claimed by HSG as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for HSG is VND*** as shown in Appendix 1.

Dumping Margin

119. Based on information available to the IA, the weighted average dumping margin established for HSG expressed as a percentage of the export price is 16.55%. Details of the calculation are as shown in Appendix 1.

Hoa Phat Steel Sheet Company (HPSS)

120. The submission explained that HPSS is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by HPSS.

Normal Value

121. HPSS in its response stated that sales to the domestic market were made to its *** and *** and ***. HPSS stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

122. The IA noted that HPSS provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

123. In examining the information provided by HPSS, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used profitable domestic sales transactions in calculating the normal value.

124. HPSS in their submission claimed that some domestic sales in Viet Nam were made at *** and *** basis. HPSS requested due allowances for *** and ***.

125. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowance for freight cost and credit cost. The normal value for HPSS is VND*** as shown in Appendix 1.

Export Price

126. In determining the export price for HPSS, the IA examined the information provided by HPSS on the export sales of subject merchandise into Malaysia. HPSS in its response stated that export sales into Malaysia were made to its ***.

127. The sales listing consists of ***MT valued at VND*** of export sales. The invoices submitted were on *** basis. HPSS requested due allowances for ***, *** and ***.

128. The export price determination was based on the export sales listing made available by HPSS. To arrive at ex-factory price, the IA deducted allowances claimed on ***, ***, and *** as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for HPSS is VND*** as shown in Appendix 1.

Dumping Margin

129. Based on information available to the IA, the weighted average dumping margin established for HPSS expressed as a percentage of the export price is 3.06%. Details of the calculation are as shown in Appendix 1.

Maruichi Sun Steel Joint Stock Company (Maruichi)

130. The submission explained that Maruichi is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by Maruichi.

Normal Value

131. Maruichi in its response stated that sales to the domestic market were made to its ***, ***, ***, and **. Maruichi stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

132. The IA noted that Maruichi provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

133. In examining the information provided by Maruichi, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used profitable domestic sales transactions in calculating the normal value.

134. Maruichi in their submission claimed that some domestic sales in Viet Nam were made at *** and *** basis. Maruichi requested due allowances for ***, ***, ***, and ***.

135. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowances for ***, ***, and **. The normal value for Maruichi is VND*** as shown in Appendix 1.

144. NKG in their submission claimed that some domestic sales in Viet Nam were made at *** and *** basis. NKG requested due allowances for ***, ***, *** and ***.

145. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted all allowances claimed. The normal value for NKG is VND*** as shown in Appendix 1.

Export Price

146. In determining the export price for NKG, the IA examined the information provided by NKG on the export sales of subject merchandise into Malaysia. NKG in its response stated that export sales into Malaysia were made to its *** and ***.

147. The sales listing consists of ***MT valued at VND*** of export sales. The invoices submitted were on ***, *** and *** basis. NKG requested due allowances for ***, ***, ***, ***, *** and ***.

148. The export price determination was based on the export sales listing made available by NKG. To arrive at ex-factory price, the IA deducted *** claimed as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for NKG is VND*** as shown in Appendix 1.

Dumping Margin

149. Based on information available to the IA, the weighted average dumping margin established for NKG expressed as a percentage of the export price is 5.04%. Details of the calculation are as shown in Appendix 1.

Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC (TPK)

150. The submission explained that TPK is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by TPK.

Normal Value

151. TPK in its response stated that sales to the domestic market were made to its ***and *** and ***. TPK stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

152. The IA noted that TPK provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

153. In examining the information provided by TPK, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used all domestic sales transactions in calculating the normal value.

154. TPK in their submission claimed that some domestic sales in Viet Nam were made at *** basis. TPK requested due allowances for *** and ***.

155. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowances for *** and ***. The normal value for TPK is VND*** as shown in Appendix 1.

Export Price

156. In determining the export price for TPK, the IA examined the information provided by TPK on the export sales of subject merchandise into Malaysia. TPK in its response stated that export sales into Malaysia were made to its ***.

157. The sales listing consists of ***MT valued at VND*** of export sales. The invoices submitted were on *** basis. TPK requested due allowances for ***, ***, ***, *** and ***.

158. The export price determination was based on the export sales listing made available by TPK. To arrive at ex-factory price, the IA deducted *** claimed as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for TPK is VND*** as shown in Appendix 1.

Dumping Margin

159. Based on information available to the IA, the weighted average dumping margin established for TPK expressed as a percentage of the export price is 4.22%. Details of the calculation are as shown in Appendix 1.

Ton Dong A Corporation (TDA)

160. The submission explained that TDA is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by TDA.

Normal Value

161. TDA in its response stated that sales to the domestic market were made to its ***and *** and ***. TDA stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

162. The IA noted that TDA provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

163. In examining the information provided by TDA, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA all domestic sales transactions in calculating the normal value.

164. TDA in their submission claimed that some domestic sales in Viet Nam were made at *** and *** basis. TDA requested due allowances for ***, ***, ***, ***, *** and ***.

165. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowances for ***, ***, ***, *** and ***. The normal value for TDA is VND*** as shown in Appendix 1.

Export Price

166. In determining the export price for TDA, the IA examined the information provided by TDA on the export sales of subject merchandise into Malaysia. TDA in its response stated that export sales into Malaysia were made to its *** and ***.

167. The sales listing consists of ***MT valued at VND*** of export sales. The invoices submitted were on ***, *** and *** basis. The IA selected sales to Malaysia during POI i.e. ***MT valued at VND***. TDA requested due allowances for ***, ***, *** and ***.

168. The export price determination was based on the export sales listing made available by TDA. To arrive at ex-factory price, the IA deducted *** claimed as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for TDA is VND*** as shown in Appendix 1.

Dumping Margin

169. Based on information available to the IA, the weighted average dumping margin established for TDA expressed as a percentage of the export price is 15.87%. Details of the calculation are as shown in Appendix 1.

Southern Steel Sheet Co., Ltd. (SSSC)

170. The submission explained that SSSC is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by SSSC.

Normal Value

171. SSSC in its response stated that sales to the domestic market were made to its *** and ***. SSSC stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

172. The IA noted that SSSC provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

173. In examining the information provided by SSSC, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used profitable domestic sales transactions in calculating the normal value.

174. SSSC in their submission claimed that some domestic sales in Viet Nam were made at ***. *** were requested by SSSC.

175. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. The normal value for SSSC is VND*** as shown in Appendix 1.

Export Price

176. In determining the export price for SSSC, the IA examined the information provided by SSSC on the export sales of subject merchandise into Malaysia. SSSC in its response stated that export sales into Malaysia were made to its *** and *** and ***.

177. The sales listing consists of ***MT valued at VND*** of export sales. The invoices submitted were on ***basis. SSSC requested due allowances for ***, ***, ***and ***.

178. The export price determination was based on the export sales listing made available by SSSC. To arrive at ex-factory price, the IA deducted *** claimed as required by subsection 17(1) and section 18 of the Act. The ex-factory export price for NKG is VND*** as shown in Appendix 1.

Dumping Margin

179. Based on information available to the IA, the weighted average dumping margin established for SSSC expressed as a percentage of the export price is 1.56%. Details of the calculation are as shown in Appendix 1.

Tay Nam Steel Manufacturing & Trading Co., Ltd. (Tay Nam)

180. The submission explained that Tay Nam is a producer/exporter of the subject merchandise into Malaysia. In determining the dumping margin, the IA examined the information provided by Tay Nam.

Normal Value

181. Tay Nam in its response stated that sales to the domestic market were made to its ***and ***, ***and **. Tay Nam stated that the total sales of subject merchandise in the domestic market during the POI was at ***MT valued at VND*** before VAT and VND*** after VAT.

182. The IA noted that Tay Nam provided information as requested under Table E-4.2 Sales to Domestic Market – Sales Listing (DOM-SALE), information on purchase of raw material, cost of production, cost of sales of all products and CTMS as in Table F-3.1: Purchase of Raw Material, Table F-4.1: Cost of Production, Table F-4.2: Average Production Costs and Sales, Table F-4.3: Cost of Sales and F-5: Cost to Make and Sell.

183. In examining the information provided by Tay Nam, the IA identified sales to domestic market during POI i.e. ***MT valued at VND*** before VAT and VND*** after VAT. The IA noted that the volume of sales below cost of the like product represented ***% of the volume sold in the domestic market throughout the POI. Therefore, the IA used all domestic sales transactions in calculating the normal value.

184. Tay Nam in their submission claimed that some domestic sales in Viet Nam were made at *** basis. Tay Nam requested due allowances for ***and **.

185. The IA therefore, calculated the normal value based on the price actually paid or payable for the like product in the ordinary course of trade in Viet Nam pursuant to the requirement of subsection 16(1) and 18(3) of the Act. To arrive at ex-factory price, the IA deducted allowances for *** and **. The normal value for Tay Nam is VND*** as shown in Appendix 1.

Export Price

186. Tay Nam in its response stated that export sales into Malaysia were made through its **. In determining the export price for Tay Nam, the IA examined the information provided by ** on the export sales of subject merchandise into Malaysia.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

187. The sales listing of export sales to Malaysia consists of ***MT. The IA constructed export price as provided by section 16(2) of the Act, regulation 26 of the Regulations and Article 2.2 of the WTO ADA by referring to the selling price of the subject merchandise from Tay Nam to *** as stated in the **. The ** from Tay Nam to ** is VND**. The IA deducted ** and ** as incurred by Tay Nam. The constructed normal value for Tay Nam is VND** as shown in Appendix 1.

Dumping Margin

188. Based on information available to the IA, the weighted average dumping margin established for Tay Nam expressed as a percentage of the export price is 5.48%. Details of the calculation are as shown in Appendix 1.

Non-cooperating Producers/Exporters from Viet Nam

189. Producers/Exporters that failed to respond to the foreign producer's/exporter's questionnaire distributed by the IA in the investigation is considered as non-cooperating producers/exporters. As such, the IA shall make the determination of dumping margin based on facts available as stipulated under section 41 of the Act.

Dumping Margin

190. Based on information available to the IA, the weighted average dumping margin established for non-cooperating producers/exporters expressed as a percentage of the export price is 37.14%. Details of the calculation are as shown in Appendix 1.

E. MATERIAL INJURY

Domestic Industry

191. Subsection 20(1) of the Act requires Domestic Industry to submit the written petition by or on behalf of the Domestic Industry producing the like product. Subsection 2(1) of the Act defines “Domestic Industry” as follows:

“domestic industry means –

- (a) the domestic producers as a whole of the like product;*
- (b) the domestic producers whose collective output of the like product constitutes a major proportion of the total domestic production of the like product; or*
- (c) where appropriate, the regional producers of the like product”*

192. In evaluating the material injury suffered by the Domestic Industry, the IA has considered factors such as the volume effect, price effect, profitability effect and other economic and financial factors.

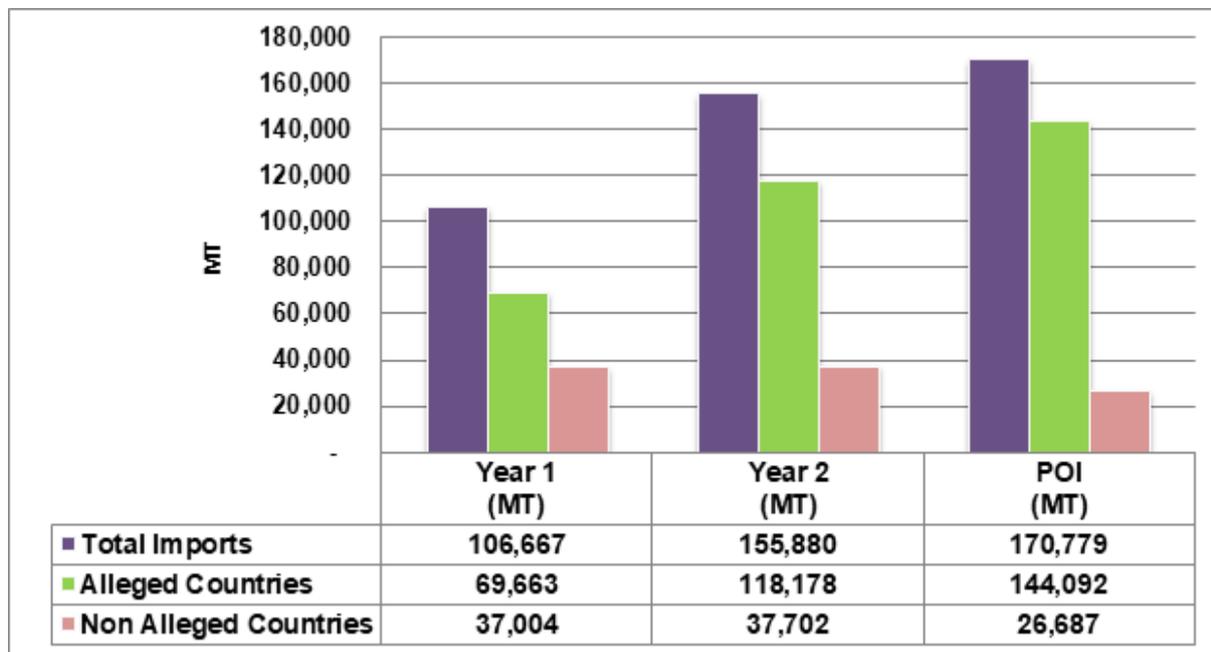
193. The material injury was analysed based on the information of the Domestic Industry that were verified during the verification visit conducted as reported in Section A, paragraph 21.

194. As a result of the Petitioner’s decision to exclude the corrugated and profiled forms as the PUI, the IA observed that the removal of 95MT of these forms (0.07% of total imports from the alleged countries during POI) does not affect the overall material injury assessment.

VOLUME EFFECTS

Import Volume

Figure 1: Import Volume during POID



Source: DOSM

195. Figure 1 demonstrates the total import trend of the subject merchandise including imports from alleged and non-alleged countries throughout the POID.

196. It is observed that total imports of the subject merchandise from the alleged countries:

- increased by 69.64% in Year 1 from 69,663MT to 118,178MT in Year 2;
- increased by 21.93% in Year 2 from 118,178MT to 144,092MT in POI; and
- increased by 106.84% from Year 1 to POI.

Table 4: Import Share of the Subject Merchandise

Source of Imports	Year 1		Year 2		POI	
	MT	%	MT	%	MT	%
PRC	15,622	14.65	19,473	12.49	29,190	17.09
ROK	5,412	5.07	8,323	5.34	10,317	6.04
Viet Nam	48,629	45.59	90,382	57.98	104,585	61.24
Non- Alleged Countries	37,004	34.69	37,702	24.19	26,687	15.67
Total Imports	106,667		155,880		170,779	

Source: DOSM

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

197. Table 4 depicts the import share of the subject merchandise by country throughout the POID. The IA noted that 84.37% of imports of the subject merchandise during the POI were from the alleged countries with Viet Nam holding the largest import share of 61.21%, followed by PRC at 17.09% and ROK as much as 6.04%.

198. The IA observed that the increase in imports from Year 1 to POI was mainly contributed by imports from the alleged countries. Imports from PRC increased by 86.85% from 15,622MT in Year 1 to 29,190MT in POI. Imports from ROK and Viet Nam also recorded an increasing volume of 90.63% and 115.07%, respectively from Year 1 to POI.

Market Share

Table 5: Market Share in Volume

Source	Year 1 (Index)	Year 2 (Index)	POI (Index)
Domestic Industry	100	101	110
PRC	100	125	187
ROK	100	154	191
Viet Nam	100	186	215
Non-Alleged Countries	100	102	72
Domestic Consumption	100	130	142

Source: Domestic Industry and DOSM

199. Table 5 demonstrates the market share for imports, domestic sales and domestic consumption of the subject merchandise during the POID. In determining the market share, comparison was made between domestic sales volume of the Domestic Industry and total import volume of the subject merchandise. It is observed that the:

- i. market share of imports of the subject merchandise from the alleged countries increased from ***% in Year 1, ***% in Year 2 and ***% during POI. On the contrary, the non-alleged countries' market share has decreased from ***% in Year 1 to ***% in Year 2 and further decreased to ***% during the POI;
- ii. market share of the Domestic Industry decreased from ***% in Year 1 to ***% in Year 2 and slightly decreased to ***% during the POI; and
- iii. total domestic consumption increased throughout the POID from ***MT in Year 1 to ***MT in Year 2 and further increased to ***MT during POI.

200. It is also observed that the market share of the Domestic Industry has been taken over by the total import share from the alleged countries.

PRICE EFFECTS

Price Undercutting

Table 6: Price Undercutting of Subject Merchandise (Year 1 to POI)

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Domestic Industry's Average Domestic Price	***	***	***
PRC	***	***	***
Undercutting (RM)	***	***	***
Percentage Undercutting (%)	7.03%	14.07%	15.26%
ROK	***	***	***
Undercutting (RM)	***	***	***
Percentage Undercutting (%)	0.48%	7.80%	7.54%
Viet Nam			
Undercutting (RM)	***	***	***
Percentage Undercutting (%)	11.10%	14.03%	14.97%

Source: Domestic Industry and DoSM

201. Table 6 depicts the price undercutting by PRC, ROK and Viet Nam throughout the POID. Comparisons were made between the Domestic Industry's domestic average selling price with the average import price from the alleged countries.

202. The Domestic Industry's average domestic selling price was between the range of RM*** to RM*** throughout the POID. Nevertheless, these prices were undercut by the average import price of the subject merchandise from PRC between the range of 7.03% to 15.26% throughout POID. For ROK, the price undercutting was between the range of 0.48% to 7.80%, while Viet Nam's price undercutting was between the range of 11.10% to 14.97%.

Price Depression

Table 7: Price Depression

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Domestic Industry's Average Domestic Price	100	110	109
Average Import Price - PRC	100	102	100
Average Import Price - ROK	100	102	102
Average Import Price – Viet Nam	100	106	105

Source: Domestic Industry and DoSM

203. Table 7 demonstrates the price depression of the Domestic Industry by way of price comparison between the average selling price of producers from the alleged countries and that of the Domestic Industry. Price depression occurs when the Domestic Industry is forced to reduce its average domestic selling price in order to compete with the price of dumped imports.

204. The IA noted that the:

- i. Domestic Industry's average selling price was not depressed throughout the POID; and
- ii. average import price from the alleged countries showed a fluctuating trend throughout the POID.

Price Suppression

Table 8: Price Suppression

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Domestic Industry's Average Domestic Price	100	110	109
CTMS	100	111	117

Source: Domestic Industry

205. Table 8 demonstrates the price suppression throughout the POID. Based on the analysis, the IA observed that the:

- i. Domestic Industry's average domestic selling price showed a fluctuating trend throughout the POID. It increased by ***% from RM***/MT in Year 1 to RM***/MT in Year 2 and decreased by ***% to RM***/MT during the POI; and
- ii. Domestic Industry's average cost to make and sell (CTMS) increased by ***% from RM*** in Year 1 to RM*** in Year 2. The CTMS further increased by ***% to RM*** during the POI.

206. The IA noted that the Domestic Industry was able to sell above CTMS in Year 1 and Year 2, which leads to a profit margin of RM***/MT in Year 1 and RM***/MT in Year 2. However, the Domestic Industry had to sell below CTMS during the POI to compete with the lower selling price of the subject merchandise from the alleged countries.

PROFITABILITY EFFECTS

Sales

Table 9: Sales Volume

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Total Sales	100	93	88
Domestic Sales	100	101	110
Export Sales	100	73	35

Source: Domestic Industry

207. Table 9 demonstrates the trend of sales volume of the PUI throughout the POID. The Domestic Industry claimed that its domestic sales volume has been affected due to imports of the subject merchandise. The IA noted that the total sales volume recorded a decreasing trend throughout the POID whereby it decreased by ***% from ***MT in Year 1 to ***MT in Year 2, and further decreased by ***% to ***MT in POI.

208. However, the domestic sales volume recorded an increasing trend throughout the POID. It increased by ***% from ***MT in Year 1 to ***MT in Year 2, and further increased by ***% to ***MT during the POI.

209. The IA also noted that the export sales showed a decreasing trend throughout the POID. The Domestic Industry's export sales decreased by ***% from Year 1 to Year 2 and further decreased by ***% during POI.

Table 10: Sales Turnover

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Total Sales	100	101	95
Domestic Sales	100	111	120
Export Sales	100	76	38

Source: Domestic Industry

210. Table 10 demonstrates a fluctuating trend of sales turnover of the PUI throughout the POID. The decreasing sales turnover trend is consistent with the trend of fluctuating average domestic selling price of PUI throughout the POID. The domestic sales recorded an increasing trend while their export sales showing a decreasing trend. The domestic sales turnover increased by ***% from RM*** in Year 1 to RM*** in Year 2 and further increased by ***% during the POI to RM***.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

211. The export sales turnover decreased by ***% from RM*** in Year 1 to RM*** in Year 2 and further decreased by ***% in the POI to RM***.

Table 11: Average Domestic Selling Price of PUI

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Average Domestic Selling Price	100	110	109

Source: Domestic Industry

212. Table 11 demonstrates the average domestic selling price of PUI which recorded a fluctuating trend throughout the POID, consistent with the fluctuating trend of sales turnover. The IA noted that the Domestic Industry's average domestic selling price increased by ***% from RM***/MT in Year 1 to RM***/MT in Year 2. During POI, the Domestic Industry reduced the selling price by ***% to RM***/MT.

Profitability

Table 12: Profit/Loss

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Total Net Profit / (Loss)	100	33	-17
Domestic Net Profit / (Loss)	100	53	-17
Export Net Profit / (Loss)	100	-99	-17

Source: Domestic Industry

213. Table 12 demonstrates the profitability of the Domestic Industry. The IA observed that:

- i. the domestic sales net profit decreased by ***% from RM*** in Year 1 to RM*** in Year 2 and further decreased by ***% to a loss of RM*** in POI;
- ii. the total net profit for the Domestic Industry decreased by ***% from RM*** in Year 1 to RM*** in Year 2. It further decreased by ***% to a loss of RM*** during the POI. The reduction in profit margin during the POI was in tandem with the increase of CTMS in which due to the rise of raw materials price, as well as the increase of dumped imports of the subject merchandise from the alleged countries; and
- iii. the movement of the Domestic Industry's total net profit/loss was parallel with the movement of its domestic sales net profit/loss and profit margin.

Production and Capacity Utilisation

Table 13: Production and Capacity Utilisation

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Production capacity	100	100	100
Actual production	100	97	97
Capacity Utilisation	100	97	97

Source: Domestic Industry

214. Table 13 demonstrates the production and capacity utilisation of the Domestic Industry. The IA noted that the actual production decreased by ***% from ***MT in Year 1 to ***MT in Year 2. From Year 2 to the POI, the actual production was constant at ***MT as it decreased by ***MT .

Cash Flow

Table 14: Cash Flow

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Net Cash Flow	100	(11)	(1)

Source: Domestic Industry

215. Table 14 demonstrates a fluctuating trend of Domestic Industry's net cash flow. In Year 2, the Domestic Industry managed to improve their net cash flow by ***% from a negative cash flow of RM*** in Year 1 to RM***. However, the net cash flow fell by ***% to RM*** during the POI. It is observed that the negative cash flow is from expenses incurred in operating activities.

Productivity

Table 15: Productivity

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Productivity Level (MT/machine hours)	100	96	93

Source: Domestic Industry

216. Table 15 demonstrates the productivity level of the Domestic Industry calculated based on the Domestic Industry's actual production of the PUI vis-à-vis machine running hours.

217. Based on the installed capacity, the productivity level is calculated at ***MT/hr (Year 1), ***MT/hr (Year 2) and ***MT/hr (POI). The Domestic Industry claimed that the presence of the dumped imports has deprived them from achieving a higher productivity.

Employment and Wages

Table 16: Employment and Wages

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Number of Employee	100	103	99
Average Wages (per month)	100	91	109

Source: Domestic Industry

218. Table 16 demonstrates the employment and monthly average wages of the Domestic Industry throughout the POID. The IA observed that the monthly average wages decreased by ***% from RM*** per employee in Year 1 to RM*** per employee in Year 2. The average wages marginally increased during POI by ***% to RM***.

219. The total employees increased to *** employees in Year 2 from *** in Year 1 and decreased to *** employees in POI. The IA observed that the employment trend throughout the POID was in tandem with the average wages, which also fluctuated throughout the POID.

Inventory

Table 17: Inventory

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Inventories	100	139	128

Source: Domestic Industry

220. Table 17 demonstrates the inventory level of the Domestic Industry. The IA observed that the inventory level increased by ***% from ***MT in Year 1 to ***MT in Year 2, and further decreased by ***% to ***MT in POI. The Domestic Industry claimed that the inventories have been reduced in order to minimise the holding cost inventory.

Return on Investment

Table 18: Return on Investment

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Return on Investment	100	33	-12

Source: Domestic Industry

221. Table 18 demonstrates return on investments (ROI) of the Domestic Industry. The ROI decreased from ***% in Year 1 to ***% in Year 2, and further decreased to a negative ROI of ***% during the POI.

222. The IA observed that the cost of investment was consistent between RM*** million to RM*** million in Year 2 but increased to RM*** million in POI. The IA noted that the Domestic Industry acquired YKGI's asset i.e. a plant producing cold rolled coils (raw materials for producing the PUI) and galvanised iron. With the purchase of YKGI's asset, the Domestic Industry plans to have an integrated plant that allows them to produce the PUI and other steel products to be more cost efficient in the future. The plant has yet to be in operation. The movement of ROI is in tandem with the Domestic Industry's profit/loss and ROTA during the POID.

223. The total cost of investment generated a decreasing trend of ROI with ***% in Year 1 followed by ***% in Year 2 to a negative ROI of ***% during POI. The IA noted that the decreasing trend was due to the declining profit recorded by the Domestic Industry.

Return on Total Asset

Table 19: Return on Total Assets

Description	Year 1 (Index)	Year 2 (Index)	POI (Index)
Return on Total Assets	100	34	(15)

Source: Domestic Industry

224. Table 19 demonstrates ROTA of the Domestic Industry. The Domestic Industry experienced positive ROTA from Year 1 to Year 2. However, the ROTA dropped from ***% in Year 2 to a negative ROTA of ***%. The movement of ROTA is in tandem with the Domestic Industry's declining profit during the POID.

Ability to Raise Capital

225. The Domestic Industry claimed that the ability to raise capital will be affected in the near future as the company records losses during POI. However, the IA observed that no evidence was provided to show difficulties experienced in raising capital.

Conclusion on Material Injury

226. The IA concludes that the Domestic Industry suffered material injuries in terms of:

- i. Import Volume;
- ii. Market Share;
- iii. Price Undercutting;
- iv. Price Suppression;
- v. Productivity;
- vi. Inventory;
- vii. Profitability;
- viii. Cash Flow;
- ix. Return on investment; and
- x. Return on total assets.

227. The IA concludes that the Domestic Industry did not suffer material injury in terms of:

- i. Sales Volume and Turnover;
- ii. Price Depression;
- iii. Production and Capacity Utilisation;
- i. Employment and Wages; and
- ii. Ability to Raise Capital.

F. CAUSAL LINK

228. In determining the causal link, it must be established that the dumping activities of the subject merchandise by the alleged countries had caused material injury to the Domestic Industry in accordance with subsection 23(1) of the Act and Article 3.5 of the WTO ADA specifically in the POI where the presence of dumping activity is also examined. The IA is satisfied that the dumping activities of the subject merchandise into Malaysia by the alleged countries had caused material injury to the Domestic Industry.

229. The IA summarises the injury analysis as follows:

No.	Injury Factors	Outcome of Analysis
i.	Import Volume	<ul style="list-style-type: none"> • The total imports of the subject merchandise from the alleged countries: <ul style="list-style-type: none"> – increased by 69.64% in Year 1 from 69,663MT to 118,178MT in Year 2; – increased by 21.93% in Year 2 from 118,178MT to 144,092MT in POI; and – increased by 106.84% from Year 1 to POI. • The increase in imports from Year 1 to POI was mainly contributed (84.37%) by imports from the alleged countries i.e. Viet Nam (61.21%), PRC (17.09%) and ROK (6.04%).
ii.	Market Share	<ul style="list-style-type: none"> • The market share of imports of the subject merchandise from alleged countries increased from *** in Year 1 to *** in Year 2 and *** during POI. • The market share of the Domestic Industry decreased from *** in Year 1 to *** in Year 2 and slightly decreased to *** during the POI. • The total domestic consumption increased throughout the POID from ***MT in Year 1 to ***MT in Year 2 and further increased to ***MT during POI.
iii.	Sales volume and turnover	<ul style="list-style-type: none"> • The domestic sales volume increased by ***% from ***MT in Year 1 to ***MT in Year 2, and ***% to ***MT during the POI. • The Domestic Industry's average domestic selling price increased by ***% from RM***MT in Year 1 to RM***/MT in Year 2 and slightly decreased by ***% to RM***/MT during the POI..

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

No.	Injury Factors	Outcome of Analysis
iv.	Price Undercutting	<ul style="list-style-type: none"> Price undercutting by imports from PRC, ROK and Vietnam throughout the POID was in the range of 0.48% to 15.26%.
v.	Price Depression	<ul style="list-style-type: none"> The Domestic Industry's average domestic selling price was not depressed throughout the POID.
vi.	Price Suppression	<ul style="list-style-type: none"> The Domestic Industry's cost to make and sell (CTMS) increased by ***% from RM*** in Year 1 to RM*** in Year 2 and further increased by ***% to RM*** during the POI. The IA noted that the Domestic Industry was able to sell above CTMS in Year 1 and Year 2, which leads to a profit margin of RM***/MT in Year 1 and RM***/MT in Year 2. However, the Domestic Industry had to sell below CTMS during the POI.
vii.	Production and Capacity Utilisation	<ul style="list-style-type: none"> The Domestic Industry's actual production decreased by ***% from ***MT in Year 1 to ***MT in Year 2. From Year 2 to the POI, the actual production was similar as it decreased by ***MT to ***MT.
viii.	Profitability	<ul style="list-style-type: none"> The Domestic Industry's net profit from domestic sales decreased by ***% from RM*** in Year 1 to RM*** in Year 2 and ***% to a loss of RM*** during the POI. The total net profit for the Domestic Industry decreased by ***% from RM*** in Year 1 to RM*** in Year 2. It further decreased by ***% to a loss of RM*** during the POI.
ix.	Cash Flow	<ul style="list-style-type: none"> The Domestic Industry's net cash flow improved by ***% from a negative cash flow of RM*** in Year 1 to RM***. However, the net cash flow fell by ***% to RM*** during the POI.
x.	Productivity	<ul style="list-style-type: none"> The Domestic Industry's productivity level was at ***MT/hr (Year 1), ***MT/hr (Year 2) and ***MT/hr (POI). The IA observed that the productivity levels have been decreasing throughout the POID, in tandem with the actual production.

NON-CONFIDENTIAL - GENERAL
AD01/2020 – FINAL DETERMINATION

No.	Injury Factors	Outcome of Analysis
xi.	Employment and Wages	<ul style="list-style-type: none"> The Domestic Industry's monthly average wages decreased by ***% from RM*** per employee in Year 1 to RM*** per employee in Year 2, but increased during POI by ***% to RM***. The total employees increased to *** employees in Year 2 from *** in Year 1, and decreased to *** employees in POI.
xii.	Inventory	<ul style="list-style-type: none"> The Domestic Industry's inventory level increased by ***% from ***MT in Year 1 to ***MT in Year 2, and further decreased by ***% to ***MT in POI. This is in tandem with the decreasing total sales volume of the Domestic Industry throughout the POID.
xiii.	Return on Investment	<ul style="list-style-type: none"> The Domestic Industry's ROI decreased from ***% in Year 1 to ***% in Year 2, and further decreased to a negative ROI ***% during the POI, in tandem with the Domestic Industry's losses during the POID.
xiv.	Return on Total Assets	<ul style="list-style-type: none"> The Domestic Industry experienced positive ROTA from Year 1 to Year 2. However, the ROTA dropped from ***% in Year 2 to a negative ROTA of ***%, in tandem with the Domestic Industry's losses during the POID.
xv.	Ability to Raise Capital	<ul style="list-style-type: none"> The Domestic Industry has no evidence to show difficulties experienced in raising capital.

G. PUBLIC INTEREST

230. It is clear through the findings of the investigation that if no appropriate measure is taken against the dumped imports, the Domestic Industry will continue to suffer further injury based on the increasing trend of import of the subject merchandise from the alleged countries.

231. The intention of an AD action is to allow for remedial action against the unfairly traded dumped subject merchandise. The AD duty seeks to increase the selling price of the subject merchandise from the alleged countries in the Malaysian market to be equal to the domestic sales price in these countries and will allow for the fair trading of the subject merchandise in the Malaysian market. The IA concludes that if final AD measure is imposed, based on information made available to the IA, it would not be against the public interest of both end users and the steel mills.

H. CONCLUSION OF FINAL INVESTIGATION

232. Based on the submissions made available to the IA, the price of the subject merchandise originating or exported from the alleged countries during the POI are less than their normal value. The dumping margin established for the alleged countries are as follows:

- PRC : 0.06% to 18.88%;
- ROK : 9.98% to 34.94%; and
- Viet Nam : 1.56% to 37.14%.

233. The IA is satisfied that dumping of the subject merchandise has caused material injury to the Domestic Industry through the effects of import volume, market share, price undercutting, price suppression, productivity, inventory, profitability, cash flow, return on investment and return on assets.

234. The imposition of the final AD duties is necessary as the Domestic Industry is currently suffering material injury by the dumping activities by the producers/exporters from the alleged countries. The following are the final AD duties on imports of the subject merchandise originating or exported from the alleged countries:

PRC

i. Shandong Bofeng New Material Co. Ltd.	2.18%
ii. Jiangyin Zongcheng Steel Co. Ltd.	7.58%
iii. Others	18.88%

ROK

i. KG Dongbu Steel Co., Ltd.	9.98%
ii. Others	34.94%

Viet Nam

i. Hoa Sen Group	16.55%
ii. Hoa Phat Steel Sheet Company	3.06%
iii. Maruichi Sun Steel Joint Stock Company	4.53%
iv. Nam Kim Steel Joint Stock Company	5.04%
v. Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC	4.22%
vi. Ton Dong A Corporation	15.87%
vii. Tay Nam Steel Manufacturing & Trading Co., Ltd.	5.48%
viii. Others	37.14%

235. In relation to participating foreign producers/exporters with dumping margin less than 2% or *de minimis*, the IA makes a negative final determination as follows:

PRC

- Yieh Phui (China) Technomaterial Co. Ltd. 0.06%

Viet Nam

- Southern Steel Sheet Co., Ltd. 1.56%

236. The negative final determination on both companies is made as there has been dumping by both exporters of the subject merchandise, but the dumping margin for the exporters, or each such dumping margin, when expressed as a percentage of the export price or weighted average of export prices used to establish that dumping margin, is less than 2%. In this relation, as provided under subsection 25(3) of the Act, where the Government makes a negative final determination with regards to subsection 25(1) of the Act, it shall:

- terminate the investigation on both companies;
- terminate the provisional measures applied under section 24, and release security required by such measures; and
- publish a notice of the negative final determination, stating the reasons for its negative determination.

DUMPING MARGIN CALCULATION FOR FLAT ROLLED PRODUCT OF NON-ALLOY STEEL PLATED OR COATED WITH ALUMINIUM AND ZINC ORIGINATING OR EXPORTED FROM PRC, ROK AND VIET NAM

Country/Company (Currency)	WANV at Ex- Factory a	WAEP at Ex- Factory b	WAEP at CIF/CFR/ Other incoterms c	WADM at Ex- Factory d = a – b	WADM at Ex- Factory e = d / b	WADM f = d / c
People's Republic of China						
i. Shandong Bofeng New Material Co. Ltd. (RMB)	***	***	***	***	***%	2.18%
ii. Jiangyin Zongcheng Steel Co. Ltd. (RMB)	***	***	***	***	***%	7.58%
iii. Yieh Phui (China) Technomaterial Co. Ltd. (RMB)	***	***	***	***	***%	0.06%
iv. Others	18.88%					
Republic of Korea						
i. KG Dongbu Steel Co., Ltd. (KRW)	***	***	***	***	***%	9.98%
ii. Others	34.94%					
Viet Nam						
i. Hoa Sen Group (VND)	***	***	***	***	***%	16.55%
ii. Hoa Phat Steel Sheet Company (VND)	***	***	***	***	***%	3.06%
iii. Maruichi Sun Steel Joint Stock Company (VND)	***	***	***	***	***%	4.53%
iv. Nam Kim Steel Joint Stock Company (VND)	***	***	***	***	***%	5.04%
v. Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC (VND)	***	***	***	***	***%	4.22%
vi. Ton Dong A Corporation (VND)	***	***	***	***	***%	15.87%
vii. Southern Steel Sheet Co., Ltd. (VND)	***	***	***	***	***%	1.56%
viii. Tay Nam Steel Manufacturing & Trading Co., Ltd. (VND)	***	***	***	***	***%	5.48%
ix. Others	37.14%					