

**NON-CONFIDENTIAL**

**PETITION FOR ANTI-DUMPING INVESTIGATION ON IMPORTS OF  
PREPAINTED/PAINTED/COLOUR COATED STEEL COILS  
ORIGINATING OR EXPORTED FROM  
PEOPLE'S REPUBLIC OF CHINA AND VIETNAM**

**PETITION FILED BY:  
FIW STEEL SDN. BHD.**

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## INTRODUCTION

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PETITIONER: **FIW Steel Sdn. Bhd.**

PRODUCTS: **Prepainted OR Painted OR Colour Coated Steel Coils**

HS CODES: **7210.70 910 (7210.70 210), 7210.70 920 (7210.70 290), 7210.70 100 (7210.70 900)**

AHTN CODES: **7210.70 1000 (7210.70 1000), 7210.70 9020 (7210.70 9020), 7210.70 9010 (7210.70 9090)**

ORIGINATING IN: **Vietnam & China**

EXPORTED FROM: **Vietnam & China**

For the purpose of this Petition submission the periods referred represent:

|                                      |          |                                |
|--------------------------------------|----------|--------------------------------|
| <b>Year 1</b>                        | <b>:</b> | <b>01/10/2011 – 30/09/2012</b> |
| <b>Year 2</b>                        | <b>:</b> | <b>01/10/2012 – 30/09/2013</b> |
| <b>Period of Investigation (POI)</b> | <b>:</b> | <b>01/10/2013 – 30/09/2014</b> |

### STATUTORY REFERENCE:

***Countervailing and Anti-Dumping Duties Act 1993***

***Countervailing and Anti-Dumping Duties Regulations 1994***

***Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994***

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## MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY

### Petition for Anti-Dumping and Countervailing Duties Investigation

#### DECLARATION

I request in accordance with Sections 4 and 20 of the Countervailing and Anti-Dumping Duties Act 1993 that the Government imposes, in respect of products the subject of this application:

- ☒ an anti-dumping duty, or
- ☐ a countervailing duty, or
- ☐ anti-dumping and countervailing duties.

This application is made on behalf of the Malaysian industry producing like products to the imported products which is the subject of this application. The application is supported by Malaysian producers whose collective output comprises:

- 25% or more of the total Malaysian production of the like products; and
- more than 50% of the total production of like products by those Malaysian producers that have expressed either support for, or opposition to, this application.

I believe that the information contained in this application:

- provides reasonable grounds for the publication of the notice(s) requested, and
- is complete and correct.

|           |                            |
|-----------|----------------------------|
| Signature |                            |
| Name      | <b>Mr. Loh Meng Kiat</b>   |
| Position  | <b>Managing Director</b>   |
| Company   | <b>FIW Steel Sdn. Bhd.</b> |
| Date      |                            |

**SECTION A**  
**PETITIONER'S STRUCTURE AND OPERATIONS**

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**A-1 Contact Information**

Company

Name: **FIW Steel Sdn. Bhd.**  
Address: **No. 3, Jalan Keluli Satu, Kawasan Perindustrian Bukit Raja Selatan, 40000 Shah Alam, Selangor**  
Telephone: **+603 3343 1177**  
Facsimile: **+603 3342 6721**  
Email: **enquiry@fiw.com.my**  
Web page: **www.fiw.com.my**

Factory

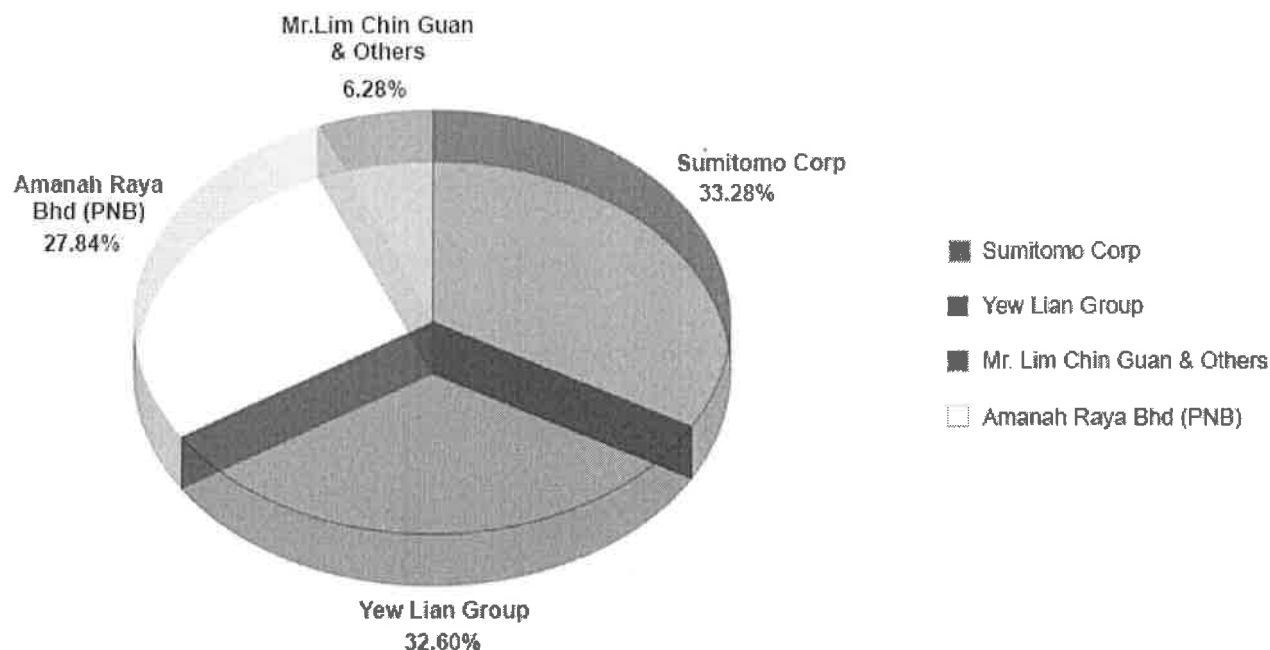
Name: **FIW Steel Sdn. Bhd.**  
Address: **No. 3, Jalan Keluli Satu, Kawasan Perindustrian Bukit Raja Selatan, 40000 Shah Alam, Selangor**  
Telephone: **+603 3343 1177**  
Facsimile: **+603 3342 6721**

Contact person

Name: **Mr. Hideji Uenishi**  
Position/Designation: **Deputy Managing Director**  
Address: **No. 3, Jalan Keluli Satu, Kawasan Perindustrian Bukit Raja Selatan, 40000 Shah Alam, Selangor**  
Telephone: **+603 3343 1177**  
Facsimile: **+603 3342 6721**  
Email: **h.uenishi@fiw.com.my**

Company Structures

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Board of Directors

Mr. Goh Geok Khim - Chairman  
 Mr. Goh Geok Chuan  
 Mr. Goh Geok Loo  
 Mdm. Khuzaimah Basran @ Toha  
 Mr. Otomichi Yano  
 Mr. Keita Horai  
 Mr. Loh Meng Kiat  
 Mr. Hideji Uenishi

Management Team

Mr. Loh Meng Kiat – *Managing Director*  
 Mr. Hideji Uenishi – *Deputy Managing Director*  
 Mr. Ng Boon Hong – *Factory Manager*  
 Mr. Kong Foot Chee – *Marketing Manager*  
 Mr. Tasliman Kamidi – *Administration Manager*  
 Mdm. Siew Hwe Yee - *Financial Manager*

Technical Advisor

Mr. Minoru Fujinaga

Associated companies

**Overseas:**  
**Southern Steel Sheet Co.,Ltd, Bien Hoa City, Vietnam**  
*Steel Coil Galvanizing & Prepainting.*  
**Nippovina Co., Ltd, Ho Chi Minh City, Vietnam**  
*Rollforming steel roofing sheet, purlin, shutter door and installation contractor.*

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Organization Chart (**provided in confidential version**)



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**A-2 Corporate Information (including related parties)**

**FIW Steel Sdn. Bhd. (3835-P)**

1. The principal shareholders as per in Table A-3.1.

Table A-2.1: Shareholdings

| Name of shareholder                | Activity of shareholder | Percentage of share holding |
|------------------------------------|-------------------------|-----------------------------|
| Sumitomo Corporation               | Trading                 | 33.28                       |
| Yew Lian Property & Invest Pte Ltd | Investment              | 31.24                       |
| Amanahraya Trustees Berhad         | Investment              | 27.84                       |
| Others                             |                         | 7.64                        |

2. Additional information of the Petitioner:

- a. A diagram outlining the overall organisational structure, including units within the company is provided in **Appendix 1 (provided in confidential version)**.
- b. Copies of legal documents (e.g. Form 24, Form 48, Form 13) are provided in **Appendix 2 (a), 2 (b) and 2 (c) – provided in confidential version**.
- c. A copy of relevant brochures on business activities are provided in **Appendix 3**.

3. Related company in other countries is as per in Table A-2.3.

Table A-2.3: Related Companies Listing

| +Name, address, email, telephone, fax of related company in all countries | List of activities | Tick if manufacturer of the product under investigation<br><input checked="" type="checkbox"/> | Tick if supplier of input used in the manufacturing of the product under investigation<br><input checked="" type="checkbox"/> | Tick if importer of the product under investigation<br><input checked="" type="checkbox"/> | Percentage of your company's shareholding in related company | Percentage of related company's shareholding in your company |
|---|--------------------|--|---|--|--|--|
| Southern Steel Sheet Co. Ltd (SSSC), Vietnam                              | Producer           | ✓  |   |  | 33%  | Nil  |

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4. Southern Steel Sheet Co. Ltd (SSSC) in Vietnam has joint ventured with FIW Steel Sdn Bhd which is also a producer of the PUI. However, SSSC has not exported any of their PUI into Malaysia and for the purpose of this investigation cannot be considered as an exporter of PUI to Malaysia (Article 4.1.1 – WTO Anti-Dumping Agreement).

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**SECTION B  
ACCOUNTING SYSTEM**

---

**B-1 Matters Related to Accounting System and Submissions**

These are submitted in the confidential version of Petition

## SECTION C DOMESTIC INDUSTRY

### C-1 Domestic Industry

1. The Petitioner who is producing the Like Product is submitting the Petition on behalf of the Domestic Industry and the following Table C-1 provides information on total domestic industry's production during POI.

Table C-1: Total Production of Domestic Industry

|  |   |
|--|---|
|  | Petitioner's/Supporting Producers' data |
|  | Estimated data                          |

| Domestic Industry   | Volume                |
|---|-----------------------|
| A. Petitioner(s)  |                       |
| FIW Steel Sdn.Bhd.  | *****MT               |
| B. Companies supporting the application   |                       |
| YKGI Holdings Berhad*   | *****MT               |
| CSC Steel Sdn Bhd*  |                       |
| NS Bluescope Malaysia Sdn Bhd*  |                       |
| Amcan Sdn Bhd   | *****MT<br>(Estimate) |
| C. Companies opposing on the application  |                       |
| None  |                       |
| D. Companies not commenting on the application - neutral (estimated)*   |                       |
| *Colourcoil Industries Sdn Bhd  | *****MT (Estimate)    |
| E. Total Malaysian Production (estimated)<br>A+B+C+D=E  | *****MT               |
| F. Of the companies that have commented, the portion of production represented by companies supporting the application is (%)<br>$[(A+B)/(A+B+C)] \times 100$ | 100.00 %              |
| G. The portion of total production supporting the application is (%)<br>$[(A+B)/(E)] \times 100$  | 93.57 %               |

Source:

\*Letter of support from producers as in Part B of Table C-1 with individual production volumes have been sent directly to the Investigating Authority.

\*Copy of letter sent to Colourcoil Industries Sdn Bhd is attached as **Appendix 6**. There has been no response from them and thus considered as neutral.

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*@Source of installed capacity for Amcan and Colourcoil is from MISIF Coaters' brochure and attached as **Appendix 7**.*

2. Based on Table C-1, the Petitioner fulfils the requirement of support of more than 50% of the total production of the Like Product by producers supporting or opposing the petition and, at least 25% of the total Malaysian production of the Like Products. The support letters are attached as per **Appendix 9(a), 9(b), 9(c) and 9(d) – submitted in confidential version.**
3. The details of the Malaysian producers of the like products in table C-2 below:

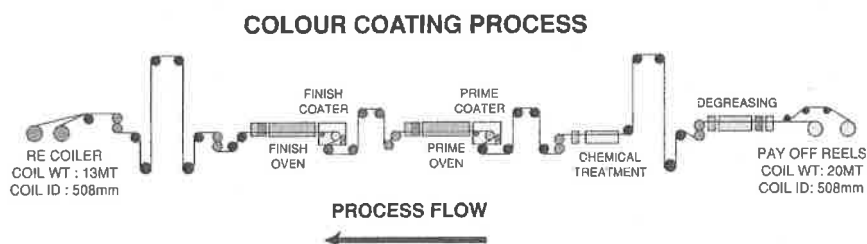
Table C-2: Contact Information of Malaysian Producers

| Name of company                                | Address/ Telephone/Fax  | Association Member |
|--|---|--------------------|
| YKGI Holdings Berhad                           | Lot 6479, Lorong Sungai Puluh / KU06, Kawasan Perindustrian Sungai Puluh, 421000 Klang, Selangor.<br>Tel: 603-3297 5555<br>Fax: 603-3297 6668 | MISIF              |
| CSC Steel Holdings Berhad/ CSC Steel Sdn. Bhd. | 180 Kawasan Industri Ayer Keroh, Ayer Keroh, 75450 Melaka.<br>Tel: 606-2310169<br>Fax: 606-2310167  | MISIF              |
| NS BlueScope Steel Malaysia Sdn. Bhd.          | Lot 1551, Jalan Bukit Kapar, 42200 Kapar, Selangor.<br>Tel: 603-3361 6888<br>Fax: 603-3361 6889   | MISIF              |
| Amcan Color Coating Industries Sdn Bhd         | Lot 779 Block 7, Jalan Demak Laut 3, MTL D Sejingkat Industrial Park, 93050 Kuching, Sarawak.<br>Tel: 6082-432323<br>Fax: 6082-432828         | MISIF              |
| Colourcoil Industries Sdn Bhd                  | P O Box 21918, 88777 Luyang, Kota Kinabalu, Sabah.<br>Tel: 6088-496222<br>Fax: 6088-499918  | MISIF              |

## SECTION D PRODUCT DESCRIPTION

### D-1 Product Specifications

1. Following are the range of products produced by Petitioner:
  - **ColourMaxx Prepainted Galvanised Steel Coil**
  - **ColourMaxx Alpha Pre-painted Zn 5% Al-Mg Coated Steel**
  - **Orora**
2. Details of the products produced and/or exported by the Petitioner (Like Products) include:
  - a. **Physical, technical and chemical characteristics:**  
 Products produced are in coil form painted with coil coating paint with wide range of colour selection. The width of the products / coil produced range from 600mm – 1250mm and substrate / base metal thickness range from 0.13mm – 1.50mm.  
  
 Technically, products are produced by continuous colour coating line using either cold rolled, hot-dip zinc-coated, hot-dip zinc-5% aluminium alloy; or hot-dip zinc-55% aluminium alloy as the base metal or substrate- produced by DI.  
  
 Chemical characteristics of the products produced are the substrate or base metal painted with Polyester, High Durable Polyester or Polyvinylidene Fluoride paint.
  - b. **End use:**  
 Roofing, cladding, brackets, wall panels, hoarding, fencing, awning, ceiling, sandwich panels, cold rooms, flashing & general structure.
  - c. **Brand names:**  
 Orora, Colourmaxx & Colourmaxx Alpha
  - d. **Production process:**  
 The technology and manufacturing process involves continuous colour coating line as below:



e. **Specification:**

Products produced are according to JIS G3312 and JIS G3318 standard. Under JIS G3312 standard, we produce according to the specification of Grade CGCC, CGCH, CGCD, CGC 340, CGC 400, CGC 440, CGC 490, CGC 570 and CGCH. As for JIS G3318 standard, we produce to the specification of Grade CZACC, CZACH, CZACD, CZAC340, CZAC400, CZAC440, CZAC490 AND CZAC570. The coating mass range from Z06 / Y06 (60g/m<sup>2</sup> total both side) to Z45 / Y45 (450g/m<sup>2</sup> total both side).

f. **Information materials:** Provided as in **Appendix 3**.

g. **Technical Characteristics of the Petitioner's products:**

| Products                      | Prepainted hot-dip zinc-coated steel sheets and coils | Prepainted hot-dip zinc-5% aluminium alloy-coated steel sheets and coils |
|-------------------------------|---|--|
| Thickness range mm            | 0.13 - 1.20 mm  | 0.13 - 1.20 mm   |
| Width mm                      | 600 - 1250  | 600 - 1250   |
| Coating mass g/m <sup>2</sup> | 60 to 450   | 60 to 450  |
| Grade                         | CGCC  | CZACC  |
|                               | CGCH  | CZACH  |
|                               | CGCD  | CZACD  |
|                               | CGC340  | CZAC340  |
|                               | CGC400  | CZAC400  |
|                               | CGC440  | CZAC440  |
|                               | CGC490  | CZAC490  |
|                               | CGC570  | CZAC570  |
| Standard                      | JIS G 3312  | JIS G 3318   |

h. Chemical Characteristics

Paint/ Chemical – Acrylic, Polyester, High Durable Polyester, Polyvinylidene Fluoride

i. Manufacturing process and input materials

- i. technology and manufacturing process involves Continuous Colour Coating Line.
- ii. main raw material/ components/ inputs used as substrate:  
Hot Dip Galvanised Steel Sheets & Coils, Hot Dip Zinc-5% Aluminium Alloy Coated Steel Sheets & Coils; or Hot Dip Zinc-55% Aluminium Alloy Coated Steel as per DI.

j. Relevant industry's specifications:

| Products | Prepainted hot-dip zinc-coated steel sheets and coils | Prepainted hot-dip zinc-5% aluminium alloy-coated steel sheets and coils |
|----------|---|--|
| Grade    | CGCC  | CZACC  |
|          | CGCH  | CZACH  |
|          | CGCD  | CZACD  |
|          | CGC340  | CZAC340  |
|          | CGC400  | CZAC400  |
|          | CGC440  | CZAC440  |
|          | CGC490  | CZAC490  |
|          | CGC570  | CZAC570  |

k. FIW's product coding system:

#### Sheet

| CGCC-Z18 Fina Blue 0.40x914x1289 |              |                |                        |       |        |
|----------------------------------|--------------|----------------|------------------------|-------|--------|
| CGCC                             | Z18          | Fina Blue      | 0.4                    | 914   | 1829   |
| Grade                            | Coating mass | Name of colour | Nominal thickness (mm) | Width | Length |

#### Coil

| CGCC-Z18 Fina Blue 0.40x914xC |              |                |                        |       |           |
|-------------------------------|--------------|----------------|------------------------|-------|-----------|
| CGCC                          | Z18          | Fina Blue      | 0.4                    | 914   | C         |
| Grade                         | Coating mass | Name of colour | Nominal thickness (mm) | Width | Coil form |

**Note:** Besides these products produce by the Petitioner, the domestic industry as a whole also produces Prepainted Zinc-55% Aluminium Alloy (referred by many other names such as Prepainted Zinalume and Prepainted Aluzinc, Prepainted Galvalume (PPGL)) where zinalume or aluzinc or galvalume is used as substrate, which when painted or coated have the same use and are substitutable and considered as Like Product.

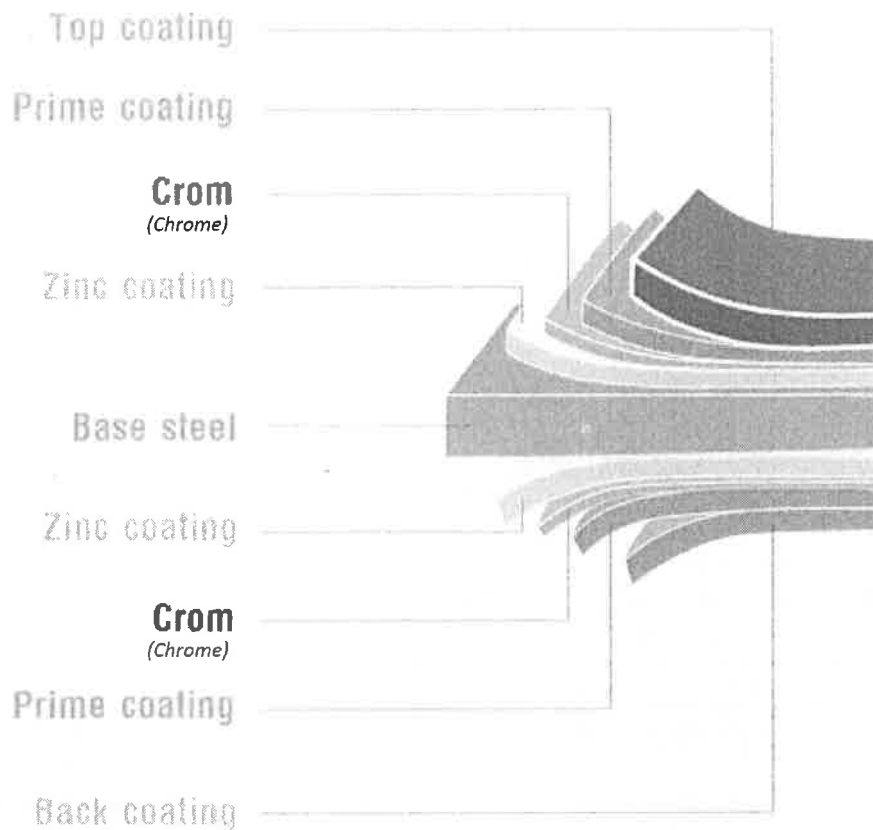


4. Description of the **Subject Merchandise**:

a. Physical, technical and chemical characteristics:

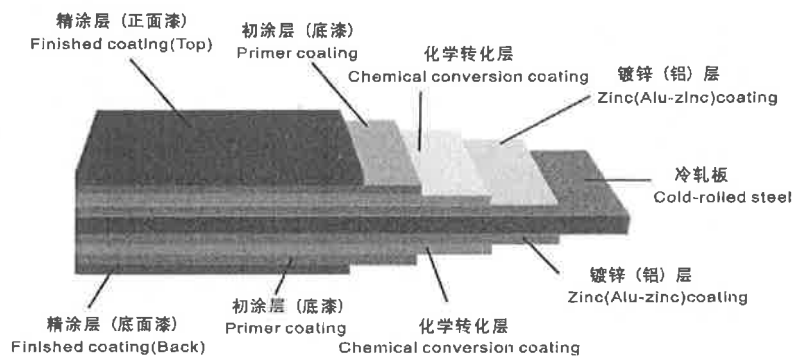
**NAKI COLOR - Pre-painted Zinc coated steel**

**SPECIFICATION AND STRUCTURE**



**彩涂板结构图**

STRUCTURAL DRAWING OF COLOR COATED SHEET



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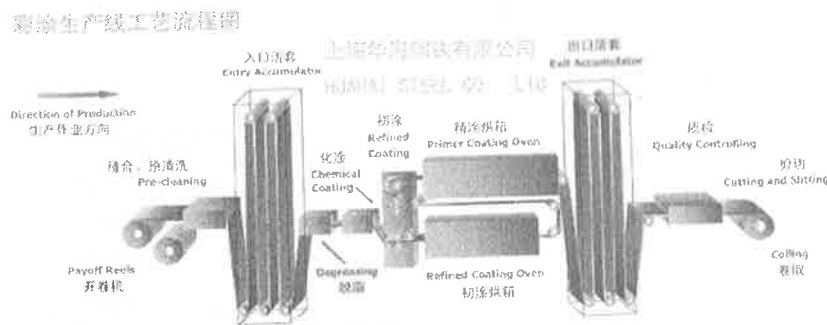
### b. End use:

Used to decorate all kinds of roofs and walls, and for all kinds of internal & external decorating material, and is applicable to any building.

### c. Brand names:

- i. Naki Color - Pre-Painted Zinc Coated Steel
- ii. Color Coated Sheet

### d. Production process:



### e. Specification:

Standard: JIS G 3312

Technology: full reverse roll coating

Coating thickness: 10-20 / 15-30 micron

Material thickness: 0.25 ~ 1.2 (mm)

Width: 600 ~ 1250 (mm)

f. **Illustrative materials:** Brochures, catalogues of subject merchandise are provided in **Appendix 10 (a)** and **10(b)**.

5. The Table D-1.5 provides the comparability of the product produced by the Petitioner with that imported from the alleged country(s) in this proceeding.

Table D-1.5: Product Comparability

| Types of Product Produced by your Company (Like Products)<br>(Include codes and description) | Imported Competitive Products<br>(Subject Merchandise)<br>(Include codes and description) | Identical Characteristics<br>(Specify)            | Differences<br>(Specify) |
|--|---|---|--------------------------|
| Prepainted hot-dip zinc-coated steel sheets and coils  | Prepainted hot-dip zinc-coated steel sheets and coils                                     | All Specs are identical                           | Nil                      |
| CGCC   | CGCC  |   |                          |
| CGCH   | CGCH  |   |                          |
| CGCD   | CGCD  |   |                          |
| CGC340   | CGC340  |   |                          |
| CGC400   | CGC400  |   |                          |
| CGC440   | CGC440  |   |                          |
| CGC490   | CGC490  |   |                          |
| CGC570   | CGC570  |   |                          |
| Prepainted hot-dip zinc-5% aluminium alloy-coated steel sheets and coils                     | Prepainted hot-dip zinc-55% aluminium alloy-coated steel sheets and coils                 | All specs are identical except Aluminium content. | 5% vs 55% Aluminium      |
| CZACC  | CGLCC   |   |                          |
| CZACH  | -   |   |                          |
| CZACD  | CGLCD   |   |                          |
| CZAC340  | -   |   |                          |
| CZAC400  | CGLC400   |   |                          |
| CZAC440  | CGLC440   |   |                          |
| CZAC490  | CGLC490   |   |                          |
| CZAC570  | CGLC570   |   |                          |

6. The tariff classification and rate of duty applied to the subject –merchandises provided in Table D-1.6.

Table D-1.6: Tariff Classification

| HS Code/AHTN | Product Description  | MFN Rate (%) | Preferential Rate (%) |       |
|--------------|--|--------------|-----------------------|-------|
| 7210.70.210  | Painted, varnished or coated with plastics:<br>- Containing by weight less than 0.6% of carbon:<br>- - Of a thickness not exceeding 1.5 mm | 20           | ATIGA                 | ACFTA |
|              |  |              | 0                     | 0     |
| 7210.70.290  | - - Other  | 20           | 0                     | 0     |
| 7210.70.900  | - Other  | 20           | 0                     | 0     |
| 7210.70.1000 | Painted, varnished or coated with plastics:<br>- Containing by weight less than 0.6% of carbon and of a thickness of 1.5 mm or less        | 20           | 0                     | 0     |
| 7210.70.9020 | - Other<br>- - Other, containing by weight less than 0.6% of carbon  | 20           | 0                     | 0     |
| 7210.70.9090 | - - Other  | 20           | 0                     | 0     |

**SECTION E  
DUMPING MARGIN**

---

**E-1 Source of Imports**

1. The Petitioner is alleging that the sources of dumped imports into the Malaysian market are from the People's Republic of China (China) and Vietnam.
2. The names, addresses and contact details as follows of:

**a) Producers/exporters from the alleged countries are as follows:**

**Vietnam**

- i. Nam Kim Steel Joint Stock Company (Nakisco)  
Road N1, An Thanh Production Area, Thuan An District,  
Binh Duong, Vietnam  
Tel: (84-65) 3748 848  
www.nakisco.com
- ii. Hoa Sen Group  
No. 9, Thong Nhat Boulevard, Song Than 2 Industrial Park, Di An Ward, Di An  
District, Binh Duong Province, Vietnam  
Tel: +84 650 3790 955
- iii. Maruichi Sun Steel Joint Stock Company (Sunsco)  
DT 743 Road, Dong Tac Quarter, Tan Dong Hiep Ward, Di An Country, Binh  
Duong Province, Vietnam  
Tel: +84-650-372 2777
- iv. Southern Steel Sheet Company Limited (SSSC)  
Road No. 9, Bien Hoa Industrial Zone 1, Dong Nai Province, Vietnam  
Tel: +84-61-3836614
- v. Trung Nguyen Steel Co. Ltd.  
465, To Hien Thanh, Ward 14, District 10, Ho Chi Minh, Vietnam  
Tel: +84-08-38669057
- vi. Tan Phuoc Khanh Trading & Manufacturing Coil Steel JSC.  
319B3 Ly Thuong Kiet, Ward 15, District 11, Ho Chi Minh, Vietnam  
Tel: +84-90-3010222
- vii. Song Minh Company  
8/1 Nguyen Huy Tuong, Ho Chi Minh 00084 Vietnam  
+84-9-03951795

**China**

- i. Shanghai Huaye Iron & Steel Group Co., Ltd.  
Huaye International Investments Co., Ltd.  
No.288, Jinle Road, Baoshan District, Shanghai  
Tel: +86-21-10101588-ext. 8300  
Fax: +86-21-56391530  
Mail: hkhy039@cnhuaye.com
  - ii. Shandong Huijin Color Steel Co. Ltd  
Dianzi, Boxing County, Shandong Province, Binzhou,  
Shandong China  
Tel: 86-543-3809980  
E-mail: sdhj@sdhj.com.cn
  - iii. Hebei Yanbo Color Coated Sheet Co. Ltd  
1588, Keji Road, Qian'an Town, Qian'an, Tangshan, Hebei, China  
Tel: 86-315-7172128  
E-mail: ybccb@ybccb.com.cn
  - iv. Qingdao Sino Steel Co Ltd  
Chengyang District, Qingdao, Shandong, China  
Tel: 86-532-87965066  
E-mail: sales@sino-steel.net
  - v. Foshan Jinxi Jinlan Cold Rolled Sheets Co. Ltd  
Yanghe's Jurisdiction, Cangjiang Industrial Zone,  
Gaoming, Foshan City Guangdong Province  
Tel: 86-757-889-11133
- b) Importers in Malaysia.**
- i. Kwang Sheng Steel Industries Sdn Bhd  
20, Jalan TIAJ 2/5, Taman Industri Alam Jaya,  
42300 Bandar Puncak Alam, Selangor
  - ii. Hai-Point Steel Sdn Bhd  
Lot 593, Jalan Pinang Jaya, Bukit Pinang,  
06200 Kota Setar, Kedah
  - iii. Vitrakukuh Sdn Bhd  
Lot 22, Tingkat Nenas, Taman Eng Seng,  
14000 Bukit Mertajam, Pulau Pinang
  - iv. SJ Classic Manufacturing Sdn Bhd  
Lot 8126, Jalan Pandan Perdana 1/4, Jalan Lapangan Terbang, Kampung  
Pandan, 26070 Kuantan, Pahang
  - v. Murni Plus Industry Sdn Bhd  
Lot 4115, Jalan Simpang Lima, MK Simpang IV,  
83020 Batu Pahat, Johor  
www.murniplus.com

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- vi. Bess Solution Sdn Bhd  
12A, Jalan Tandang,  
46050 Petaling Jaya, Selangor  
www.besssolution.com
- vii. BW Yee Seng Hardware Trading Sdn Bhd  
1571, Jalan Serunai, Kawasan Perindustrian Valdor, Mukim 12, 14200 Sungai  
Bakap, SPS Pulau Pinang  
www.bwysgroup.com
- viii. Profitline Industries Sdn Bhd  
9, Jalan Bendahara, Taman Puteri,  
Batu Pahat, 83000 Johor  
Tel: 07-238 4340
- ix. Leform Sdn Bhd  
Lot 4306-4312, Jalan Kampung Mohd Taib, Kawasan Perindustrian Sungai  
Choh,  
48000 Rawang, Selangor  
Tel: 03-6099 0666  
Fax: 03-6093 7022  
(May import using LF Metal Sdn Bhd, Tianwen Metal Sdn Bhd or Tianwen  
Marketing Sdn Bhd)
- x. K3 Metal Service Centre Sdn Bhd  
16, Jalan TSB 6, Taman Industri Sungai Buloh,  
47000 Sungai Buloh, Selangor  
Tel: 03-6157 8668  
Fax: 03-6157 2016
- xi. Lee Chuan Guan Hardware Sdn Bhd or Japmas Steel Sdn Bhd  
Plo 132, Jln Angkasa Mas Utama, Kawasan Perindustrian Tebrau II, 81100  
Johor Bahru, Johor  
Tel: 07- 353 7312  
Fax: 07-353 5533
- xii. KHP Roofing (M) Sdn Bhd  
PTD 487, KM5, Lebuhraya Segamat-Kuantan,  
85000 Segamat, Johor  
Tel: 07-932 7600  
Fax: 07-931 8893
- xiii. SJ Classic Industries Sdn Bhd  
LLN 11, Kampung Parit JU, MK 4, Simpang Kiri,  
83500 Batu Pahat, Johor  
Tel: 07-4185 852  
Fax: 07-4185 854

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- xiv. Nikkata Metal Roofing Industries Sdn Bhd  
(or Seng Kong Awning Trading)  
3, MYP 129/1, Batu 3, Simpang Jeram, Jalan Bakri,  
84000 Muar, Johor  
Tel: 06-986 8886  
Fax: 06-986 6669
- xv. LSPCM (Melaka) Sdn Bhd  
Lot 2833 & 2834, Jalan PBR 25, Bukit Rambai Industrial Estate, 75250  
Melaka  
Tel: 06-351 2909  
Fax: 06-351 2910
- xvi. Star Shine Marketing Sdn Bhd  
Lot 817, Jalan Sungai Putus, Off Jalan Kapar, Batu 3,  
41400 Klang, Selangor  
Tel: 03-3348 8936  
Fax: 03-3348 8937
- xvii. Bluescope Steel (Malaysia) Sdn Bhd  
Lot 1551, Jalan Bukit Kapar, 42200 Kapar,  
Klang, Selangor  
Tel: 03-3361 6888  
Fax: 03-3361 6889

3) Table E-1.3 provides the sources of imports of the products under investigation.

Table E-1.3: Source of imports

**(i) POI**

| Country                              | Volume of Imports (MT) | Percentage of Imports (%) |
|--------------------------------------|------------------------|---------------------------|
| <u>Alleged Country</u>               |                        |                           |
| China                                | 7,239.456              | 13.0                      |
| Vietnam                              | 37,950.664             | 68.2                      |
| <b>Sub Total</b>                     | <b>45,190.120</b>      | <b>81.2</b>               |
| <u>Non Alleged Country</u>           |                        |                           |
| Japan                                | 7,861.238              | 14.1                      |
| <u>Others (Totalling 3% or less)</u> |                        |                           |
| Taiwan                               | 1,208.828              | 2.2                       |
| United States                        | -                      | -                         |
| Korea                                | 43.130                 | 0.1                       |
| United Kingdom                       | 1,237.620              | 2.2                       |
| Singapore                            | 0.302                  | 0.0                       |
| Australia                            | 5.380                  | 0.0                       |
| India                                | 84.200                 | 0.2                       |
| <b>Sub Total</b>                     | <b>2,579.460</b>       | <b>4.7</b>                |
| <b>Total Imports</b>                 | <b>55,630.818</b>      | <b>100.0</b>              |

Source of imports: Department of Statistics of Malaysia as in **Appendix 11 (a) and 11 (b)**.

- 4) On the requirement to meet that the imports from the alleged countries to be individually above negligible volume of 3%, based on the above the alleged countries' individual volume of imports from China and Vietnam are above the negligible volume of 3% during POI.

## (ii) Year 2

| Country                              | Volume of Imports (MT) | Percentage of Imports (%) |
|--------------------------------------|------------------------|---------------------------|
| <u>Alleged Country</u>               |                        |                           |
| China                                | 15,251.678             | 31.2                      |
| Vietnam                              | 22,285.142             | 45.6                      |
| <b>Sub Total</b>                     | <b>37,536.820</b>      | <b>76.8</b>               |
| <u>Non Alleged Country</u>           |                        |                           |
| Japan                                | 5,773.131              | 11.8                      |
| <u>Others (Totalling 3% or less)</u> |                        |                           |
| Taiwan                               | 4,663.953              | 9.5                       |
| United States                        | 4.709                  | 0.0                       |
| Korea                                | 286.852                | 0.6                       |
| United Kingdom                       | 578.876                | 1.2                       |
| Thailand                             | 7.987                  | 0.0                       |
| Singapore                            | -                      | -                         |
| Australia                            | -                      | -                         |
| India                                | -                      | -                         |
| <b>Sub Total</b>                     | <b>5,542.377</b>       | <b>11.3</b>               |
| <b>Total Imports</b>                 | <b>48,852.328</b>      | <b>100.0</b>              |

Source of imports: Department of Statistics of Malaysia as in **Appendix 11 (a) and 11(b)**

## Year 1

| Country                              | Volume of Imports (MT) | Percentage of Imports (%) |
|--------------------------------------|------------------------|---------------------------|
| <u>Alleged Country</u>               |                        |                           |
| China                                | 52,161.989             | 63.1                      |
| Vietnam                              | 15,642.144             | 18.8                      |
| <b>Sub Total</b>                     | <b>67,804.133</b>      | <b>81.4</b>               |
| <u>Non Alleged Country</u>           |                        |                           |
| Japan                                | 10,830.013             | 13.1                      |
| <u>Others (Totalling 3% or less)</u> |                        |                           |
| Taiwan                               | 4,174.910              | 5.1                       |
| United States                        | 2.000                  | 0.0                       |
| Korea                                | 84.041                 | 0.1                       |
| United Kingdom                       | 290.318                | 0.3                       |
| Singapore                            | 24.975                 | 0.0                       |
| Australia                            | -                      | -                         |
| India                                | -                      | -                         |
| Thailand                             | 51.988                 | 0.1                       |
| <b>Sub Total</b>                     | <b>4,598.635</b>       | <b>5.6</b>                |
| <b>Total Imports</b>                 | <b>82,628.869</b>      | <b>100.0</b>              |



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Source of imports: Department of Statistics of Malaysia as in **Appendix 11 (a) and 11 (b)**.

- 5) The reason why the Petitioner did not allege Japan, is because besides the higher prices of imports from Japan during Year 1, Year 2 and POI as shown in section I-1, although the volume of imports in the POI is above the negligible volume of 3%, the Petitioner could not establish *prima facie* evidence of dumping by the imports from Japan.

### E-2 Export Price

Table E-2.1: Export price

| Country |  | Grade/Models/Type |         | Export price (CIF)<br>(USD) |
|---------|--|-------------------|---------|-----------------------------|
| Vietnam |  | *****             | 0.25 mm | *****                       |
| China   |  | *****             | 0.3 mm  | *****                       |

**Sources of Export Price:**

Vietnam- \*\*\*\*\* (Appendix 11(a)) – provided in confidential submission

China- \*\*\*\*\* (Appendix 11(b))- provided in confidential submission

1. Payment: By 100% irrevocable L/C at sight.
2. Please refer to attachment **Appendix 12(a) and 12(b)** for the evidences on export prices. – provided in confidential submission.

### E-3 Selling Price (Normal Value) in the Exporter's Domestic Market

Table E-3.1: Selling price (normal value)

| Country |  | Grades<br>/Models/Types |       | Selling price<br>(normal value ex-factory) |              |
|---------|--|-------------------------|-------|--|--------------|
| Vietnam |  | *****                   | ***** | VND<br>*****                               | USD<br>***** |
| China   |  | *****                   | ***** | CNY<br>*****                               | USD<br>***** |

**Source for exchange rate:** on Bank Negara rates as per enclosed in **Appendix 12(e) and 12 (f)**

**Sources for Normal Value:**

(i) Vietnam-\*\*\*\*\* (Appendix 12(c))-submitted in confidential version

(ii) China- \*\*\*\*\* (Appendix 12(d))-submitted in confidential version

1. Names and contact details of other known sellers of like products in the domestic market of the exporting country are provided in Table E-3.1.

Table E-3.1: List of Foreign Producers

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| <b>Name</b>   | <b>Address</b>   | <b>Telephone Number</b>   | <b>Fax Number</b> |
|---|--|---------------------------|-------------------|
| <b>VIETNAM</b>  |  |                           |                   |
| Nam Kim Steel Joint Stock Company (Nam Kim Steel)                                     | N1 Blv, An Thanh Production Zone, Thuan An, Binh Duong, Vietnam  | +846503748848             | +846503748868     |
| Hoa Sen Group   | No. 9, Thong Nhat Boulevard, Song Than 2 Industrial Park, Di An Ward, Di An District, Binh Duong Province, Vietnam | +84839990212              | +84839990222      |
| Maruichi Sun Steel Joint Stock Company (SUNSCO)                                       | DT 743 Road, Dong Tac Quarter, Tan Dong Hiep Ward, Di An County, Binh Duong Province, Vietnam                      | +846503742777             | +846503742223     |
| Southern Steel Sheet Company Limited (SSSC)   | Road 9, Bien Hoa Industrial Zone 1, Dong Nai Province, Vietnam   | +84613836614              | +84613836698      |
| Trung Nguyen Steel Co.Ltd.  | 465, To Hien Thanh, Ward 14, District 10, Ho Chi Minh, Vietnam   | +840838669057             |                   |
| Tan Phuoc Khanh Trading & manufacturing Coil Steel JSC                                | 319B3 Ly Thuong Kiet, Ward 15, District 11, Ho Chi Minh, Vietnam   | +84903010222              |                   |
| Song Ming Company   | 8/1 Nguyen Huy Tuong, Ho Chi Minh, 00084, Vietnam  | +84903951795              |                   |
| <b>CHINA</b>  |  |                           |                   |
| Shanghai Huaye Iron & Steel Group Co., Ltd. Huaye International Investments Co., Ltd. | No.288, Jinle Road, Baoshan District, Shanghai   | +86-21-10101588-ext. 8300 | +86-21-56391530   |
| Hebei Iron & Steel Group Co. Ltd  | No. 81, Jianshe Road, Tangshan Hebei, P.R. China Zip Code 063016   | 03152793048               |                   |
| Baosteel Group Corporation Baoshan Iron & Steel Co. Ltd                               | Baosteel Tower, Pu Dian Road 370 Pudong New District, Shanghai 200122 PR China Portal Code 200122                  | 862120658888              | 862168404832      |
| Angang Group (Anshan Iron & Steel Group Corporation)                                  | Anshan Liaoning China  | 864126723090              | 864126723080      |
| Bengang Group (Benxi Iron & Steel (Group) Co. Ltd                                     | No. 36 Huashan Road, Mingshan District, Benxi, Liaoning, China, 117022   | 0086414486884 2           | 04144843613       |
| Wuhan Iron & Steel (Group) Co.  | 3, Yangang Road, Qingshan District, Wuhan City, Hubei Province, Post Code  | 02786807870               | 02786807875       |

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|  |   |                              |                        |
|--|---|------------------------------|------------------------|
|  | 430083  |                              |                        |
| Magang (Group) Shareholding Co. Ltd                                | No. 8 JiuHuaxi Road<br>Maanshan City, Anhui<br>Province P.R. China  | 0086(0)5552883<br>492        | 0086(0)555288<br>4350  |
| Hunan Valin Iron & Steel Group Co. Ltd                             | 22 <sup>nd</sup> Fl, Halin Bldg. 269<br>Furong Middle Rd.<br>Changsha 410000<br>China                                     | +867312565980                | +867314444501          |
| Baotou Iron & Steel (Group) Co. Ltd                                | Hexi Industrial Park,<br>Kun District, Baotou<br>City, Inner Mongolia,<br>China   | 8604722189000                | 8604722183708          |
| Hebei Jinxi Iron and Steel Company Limited                         | Room 901, The Public<br>Traffic Building, No. 29,<br>West Lane of<br>Lianhuachi Beijing Post<br>Code 100073               | 86(0)106395992<br>7          | 86(0)10639599<br>30    |
| Tangshan Guofeng Iron and Steel Co., Ltd                           | No193 Qingnian Road<br>Fengnan Tangshan<br>Hebei PR   | 0315-8151929                 | 0315-8151909           |
| China Minmetals Corporation  | TowerA Minmetals Plaz<br>a, No.3 Chao Yangmen<br>North<br>Avenue, Dongcheng Dis<br>trict, Beijing, P.R.China,<br>100010   | 86-10-60169000               | 86-10-<br>60167666     |
| Dalian Seun Steel Co., Ltd   | 73 Zhenpeng Industrial<br>city Economic &<br>Development zone,<br>Dalian  | +86-0411-8751-<br>8025, 8026 | +86-0411-8751-<br>1108 |
| Union Steel Co., Ltd   | Xiagang Zone Jiangyin<br>Riverside Economy<br>Development Area,<br>Jiangyin City, Jiangsu,<br>214442                      | 86-510-803-<br>2308          |                        |
| BlueScope Steel China  | 12th Floor, Hang Seng<br>Bank Tower, 1000<br>Lujiazui Ring Road,<br>Shanghai 200120                                       | +86 21 6841<br>1898          | +86 21 6841<br>2340    |
| Yieh Phui (China) Technomaterial Co., Ltd                          | Yiehphui Road,<br>Riverside Industrial Park<br>Changshu Economic<br>Development Zone<br>Jiangsu PR China,<br>215536       | +86-512-<br>52298888         | +86-<br>51252298406    |
| GuangDong HuaGuan Steel Co., Ltd                                   | No. 1, Yinzhouhu<br>Avenue, Jinguzhou<br>Economic Development<br>Zone, Xinhui District,<br>Jiangmen, Guangdong,<br>529100 | +86-750-<br>6390888          | +86-750-<br>6391888    |
| Jiangyin Zongcheng Steel Co., Ltd                                  | Xia Gang Industrial<br>Park, Jiangyin, Jiangsu<br>Province, 214442  | (0510)81601001               | (0510)8160100<br>0     |
| Yichang Three Gorges Quantong Coated and Galvanized Plate Co., Ltd | No. 518, Quantong<br>Road, Xiaoting District,<br>Yichang, Hubei   | 86-717-6422628               | 86-717-<br>6422626     |

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|  |  |                  |                  |
|--|--|------------------|------------------|
| ShanDong GuanZhou Co., Ltd                           | NO.389, Zhen Xing East Road, Guan County, Shan Dong                                  | +86-635-5289809  | +86-635-5289809  |
| Shandong Sanjian Construction & Engineering Co., Ltd |  |                  |                  |
| Tianjin Coated Steel Co., Ltd                        | 23-3, No. 3389, Xinbei Road Tanggu Tianjin   | 86-22-65553968   | 86-22-95553728   |
| Fujian Mingguang New Materials Co., Ltd              |  |                  |                  |
| Jieyang City Jialong Metal Products Co., Ltd         | Xinsu Village Industrial Zone, Dongyang, Dongshan Dist., Jieyang, Guangdong          |                  |                  |
| Wuxi New Dazhong Steel Co., Ltd                      | Yuqi Development Zone, Huishan District, Wuxi City, Jiangsu Province                 | 86-510-82951331  | 86-510-83899928  |
| Panhua Group Co., Ltd                                |  |                  |                  |
| Zhe Jiang Southeast Metalsheet Co., Ltd              | Jiangdong Industrial Park, Hangzhou, Zhejiang  | 86-571-82986810  | 86-571-82986820  |
| TianJin XinYu Color Plate Co., Ltd                   | Wuzhuangzi Industry, Jinwu Town, Xiqing District, Tianjin, 300000                    | 86-022-87173991  | 86-022-87173991  |
| Huangshi Dongshan Iron & Steel Industry Co., Ltd     | No.1, xiaohu Road, tuanchengshan Development Zone ,huangshi City,hubei Prov.         |                  |                  |
| Hebei Huade Steel Co., Ltd                           | High-tech Development Zone, Jing County, Hebei Province, Hengshui, Hebei, 053500     | 86-318-7158345   | 86-318-7158375   |
| Shandong Huijin Color Steel Co., Ltd                 | Dianzi Industrial Zone, Boxing County, Binzhou, Shandong Province, Binzhou           | 86-543-2456002   | 86-543-2165300   |
| Hebei Yanbo Color Coated Sheet Co., Ltd              | No. 1588, Keji Road, Qian'an Town, Qian'an, Hebei                                    |                  |                  |
| Qingdao Sino Steel Co., Ltd                          | Qingdao Sino Steel Industry Park, Chengyang District, Qingdao City, Shandong, 266016 | +86-532-87965066 | +86-532-87961221 |

**E- 4 Exports from a Non-Market Economy**

1. Although Malaysia recognises China as market economy, the Investigating Authority to determine if individual cooperating companies from China are indeed

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operating under market or non-market economy condition and to treat them as such.

### E- 5 Adjustments

1. A fair comparison is made below between the export price and the normal value. Adjustments have been made for differences in the terms and circumstances of the sales such as the level of trade, physical characteristics, taxes or other factors that affect price comparability.
2. Details of any known differences between the export price and the normal value including supporting information and evidences, including the basis of estimates are provided as follows.

#### Source of Evidence

##### Vietnam

|                                |                  |       |
|--------------------------------|------------------|-------|
|                                | USD/MT           |       |
| Export Price as quoted (*****) | *****            | ***** |
|                                | (CIF Port Klang) |       |
| Less:                          |                  |       |
| Ocean Freight                  | *****            | ***** |
| Insurance                      | *****            | ***** |
| Export Price at FOB            | *****            |       |
| Less:                          |                  |       |
| Inland Transit & Port Handling | *****            | ***** |
| Export Price (Ex-factory)      | *****            |       |

##### China

|  |                  |       |
|--|------------------|-------|
|  | USD/MT           |       |
| Export Price as quoted (e.g. 0.3 x 914 mm) | *****            | ***** |
|  | (CIF Port Klang) |       |
| Less:                                      |                  | ***** |
| Booking                                    | *****            |       |
| THC  | *****            |       |
| Customs clearance                          | *****            |       |
| Doc  | *****            |       |
| H/C  | *****            |       |
| Seal fee                                   | *****            |       |
| EBS & CIC                                  | *****            |       |
| Ocean Freight                              | *****            | ***** |
| Insurance                                  | *****            |       |
| Export FOB                                 | *****            |       |
| Less:                                      |                  |       |
| Trucking                                   | *****            |       |

Export Price (Ex-factory)

\*\*\*\*\*

#### E-6 Dumping Margin

1. The dumping margins established are as follows for the two alleged countries:

##### Vietnam

Normal Value (Ex-works) : \*\*\*\*\*

Export Price (Ex-works) : \*\*\*\*\*

Dumping margin (USD/MT) : 13.68 %

##### China

(0.3 x 914 mm)

Normal Value (Ex-works) : \*\*\*\*\*

Export Price (Ex-works) : \*\*\*\*\*

Dumping margin (USD/MT) : 52.10 %

**SECTION F**  
**MATERIAL INJURY (OPERATION)**

---

**F-1 Production and Capacity**

1. The production capacity, actual production and capacity utilisation of the product produced by the Petitioner is provided in Table F-1.1.

Table F-1.1: Capacity Utilisation

| Description  | Year 1 | Year 2 | POI |
|--|--------|--------|-----|
| A. Production capacity in units<br>(specify the unit of measurement) | 100    | 100    | 100 |
| B. Actual production in units<br>(specify the unit of measurement)   | 100    | 82     | 70  |
| C. Capacity utilisation (%)<br>(B/A) x 100                           | 100    | 82     | 70  |

*(Presented in indices - Submitted in Confidential Submission)*

The production decreased from \*\*\*\*\*MT to \*\*\*\*\*MT to \*\*\*\*\*MT for the three years a decrease by 18.29% in Year 2 compared to Year 1 and a further 14.21% during POI, a clear indication that the Petitioner suffered in terms of production. With decreasing production the capacity utilisation also decreased from 100 to 82 to 70 (in indices). The Petitioner suffered in terms of production and capacity utilisation.

2. The Petitioner is unable to consider any expansion in future as the current dumped imports have upset the market, the pressure these dumped imports have imposed on the Petitioner, which has resulted in the Petitioner operating at very low levels of production and capacity utilisation.

**F-2 Inventories**

1. Table F-2.1 provides the volumes of inventories of the Petitioner:

Table F-2.1: Inventories

| Description         | Year 1<br>Volume | Year 2<br>Volume | POI<br>Volume |
|---------------------|------------------|------------------|---------------|
| Opening inventories | 100              | 103              | 125           |
| Closing inventories | 100              | 121              | 121           |

*(Presented in indices - Submitted in Confidential Submission)*

The Petitioner's inventory levels increased by 20.72% in Year 2 compared to Year 1 and further increased by 0.39% during POI compared to Year 2, noting that these increases are against a backdrop of reduced production, sales and capacity utilisation. The Petitioner suffered in terms of inventories.

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### F-3 Employment and Wages

1. Table F-3.1 shows the number of people employed by the Petitioner.

Table F-3.1: Employment

| Description   | Year 1 | Year 2 | POI |
|---|--------|--------|-----|
| Total personnel employed  | 100    | 94     | 95  |
| A. Personnel employed in the production process of the PUI            | 100    | 96     | 96  |
| B. Personnel employed in sales, general and administration of the PUI | 100    | 100    | 100 |
| C. Total personnel employed in the PUI (A + B)                        | 100    | 98     | 98  |

*(Presented in indices- Submitted in Confidential Submission)*

The number of employees decreased from Year 1 to Year 2 by 2.27% but remained the same during POI compared to Year 2. Though the number remained the same during POI compared to Year 2, the employees were faced with reduced working hours.

2. The Petitioner is faced with reduced orders which have resulted in reduced production. At times the Petitioner had no production of Like Product due to no orders or reduced orders received from its customers. Under these circumstances, the Petitioner had no choice but to put those employees employed in the production process of Like Product to do maintenance or even do other odd job works. If the situation of the dumped imports presence in the Malaysian market continues, maintaining these staff will not be possible and the next drastic step and only option is to resort to retrenchment– which is not in line with the good economic progress Malaysia is experiencing – Domestic industries in Malaysia instead of benefiting from the economic progress is suffering material injury as a result of the unfairly traded dumped imports.
3. Table F-3.4 shows the wages of the total personnel employed in producing the product.

Table F-3.4: Wages

| Description                 | Year 1 (RM) | Year 2 (RM) | POI (RM) |
|-----------------------------|-------------|-------------|----------|
| A. Wages                    | 100         | 95          | 100      |
| B. Cost of social benefits  | 100         | 92          | 83       |
| C. Total labour costs (A+B) | 100         | 94          | 97       |

*(Presented in indices- Submitted in Confidential Submission)*



The staff remuneration saw a decrease in Year 2 due to the drop in number of staff but saw an increase in POI; due to the normal increment as required and to comply in accordance to the Collective Agreement (CA) signed by the Petitioner and the employees. Wages had to be paid in full during POI despite for 91 days there were no production days, due to less orders and in some instances no orders at which should not be the case as the construction sector has been doing well in 2013 and 2014; It is to be noted that in Year 1 there were no days where there was no production days. Retrenchment is in the cards if the unfairly traded dumped products are not decisively dealt with. The Petitioner was hoping that the dumping was on short basis and would go away and business returns to normal again – basis for keeping staff although at very low production levels. Based on these the Petitioner has suffered in terms of wages to the staff.

#### F-4 Productivity

1. The data on the effects of alleged dumped imports on productivity is provided in Table F-4.1.

Table F-4.1: Productivity

| Description               | Year 1 | Year 2 | POI |
|---------------------------|--------|--------|-----|
| A. Production             | 100    | 82     | 70  |
| B. Machines Running Hours | 100    | 82     | 80  |
| C. Productivity (A/B)     | 100    | 100    | 88  |

*(Presented in indices- Submitted in Confidential Submission)*

Despite facing unfair competition, the Petitioner had taken steps to improve itself by increasing productivity but due to the very lower production and low capacity utilisation caused by the presence of dumped imports and the difficulty in getting orders due to again the presence of dumped imports, the Petitioner suffered in terms of productivity that saw a decrease from \*\*\*\*\*MT/hr. to \*\*\*\*\*MT/hr. from Year 1 to Year 2 or a decrease by \*\*\*\*\*% and decreased further to \*\*\*\*\*MT/hr. a further decrease in productivity by \*\*\*\*\*% during POI. The Petitioner suffered in terms of productivity due to the presence of the dumped imports from the alleged countries.

**SECTION G**  
**MATERIAL INJURY (SALES)**

**G-1 Sales Turnover**

1. The total sales turnover (after all discounts and free of taxes) is presented in Table G-1.1.

Table G-1.1: Turnover

| Description                              | Year 1<br>(RM) | Year 2<br>(RM) | POI<br>(RM) |
|--|----------------|----------------|-------------|
| Total turnover ( <i>all products</i> )   | 100            | 78             | 64          |
| Turnover of product ( <i>produced</i> )  | 100            | 76             | 64          |
| Turnover of product ( <i>purchased</i> ) | N.A.           | N.A.           | N.A.        |
| Other product ( <i>give details</i> )    | 100            | 115            | 70          |

*(Presented in indices- Submitted in Confidential Submission)*

2. The sales turnover in Year 1 decreased from RM\*\*\*\*\*to RM\*\*\*\*\*in Year 2 and further decreased to RM\*\*\*\*\* during POI, a drop by 24.06% and 16.01% respectively. The drop from Year 1 to POI recorded at 36.21%, confirming the Petitioner suffered in terms of sales turnover.

**G-2 Sales Volume and Value**

1. Table G-2.1, presents total sales of product. The Petitioner has no sales made to its related parties.

Table G-2.1: Sales of Product

| Description              | Year 1         |               | Year 2         |               | PUI            |               |
|--------------------------|----------------|---------------|----------------|---------------|----------------|---------------|
|                          | Volume<br>(MT) | Value<br>(RM) | Volume<br>(MT) | Value<br>(RM) | Volume<br>(MT) | Value<br>(RM) |
| Sales in Malaysia        | 100            | 100           | 70             | 68            | 68             | 62            |
| Sales in other countries | 100            | 100           | 128            | 116           | 80             | 71            |
| Total sales              | 100            | 100           | 79             | 76            | 70             | 64            |

*(Presented in indices- Submitted in Confidential Submission)*

The volume of sales in MT of the Like Products in the Malaysian market dropped in Year 2 compared to Year 1 and in POI when compared to Year 2. In fact the volume of sales in MT dropped by 32.51% in POI when compared to Year 1, clearly indicating the Petitioner suffered in terms of volume of sales in the domestic market.

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2. The transaction-by-transaction sales of the product to unrelated customers in Malaysian market during the period of investigation is provided in the format as per Table G-2.2 in **Appendix 13 (a), 13(b) and 13(c).**(Submitted in Confidential Submission).

Table G-2.2: Sales Listing

| Field name | Field description              | Explanation   |
|------------|--------------------------------|---|
| NO         | Sequence number                | Identify each transaction, or line item, in the sales listing, by sequence number (i.e. the first transaction is "1", the second is "2", and so on) |
| CODE       | Company internal coding system | Indicate the code used for the product in your records  |
| INV-NO     | Invoice number                 | Indicate the invoice number   |
| INV-DT     | Invoice date                   | Indicate the invoice date of the transaction  |
| CUST       | Customer number                | Indicate the customer number used in your records   |
| LEV        | Customer level of trade        | Use code "1" for end-users, "2" for retailers, "3" for distributors, "4" for others ( <i>specify the level</i> )                                    |
| QTY        | Quantity of sales              | Provide quantity (specify the unit of measurement) of product sold  |
| NT-VAL     | Net invoice value              | Provide the net invoice value after the discounts   |
| PAY-TM     | Payment terms                  | Indicate the payment terms agreed with the customer (e.g. 30, 60, 90 days, etc.)  |
| DEL-TM     | Delivery terms                 | Indicate the agreed terms of delivery (e.g. FOB, C&F, CIF, etc.)  |

Please refer to **Appendix 13(a), 13 (b) and 13(c)** on sales listing based on above format.(Submitted in Confidential Submission).

3. Table G-2.3, shows the format for submitting credit notes relating to sales of product to unrelated customers on Malaysian market during period of investigation on transaction-by-transaction basis. This is provided in **Appendix 14 (a), 14 (b) and 14 (c).**(Submitted in Confidential Submission).

Table G-2.3: Credit Notes

| Field name | Field description | Explanation   |
|------------|-------------------|---|
| NO         | Sequence number   | Identify each transaction, or line item, in the sales listing, by sequence number (i.e. the first transaction is "1", the second is "2", and so on) |
| CODE       | Company internal  | As in Table G-2.2: Sales Listing  |

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|        |                         |  |
|--------|-------------------------|--|
|        | coding system           |  |
| CRD-NO | Credit note number      | Indicate the number of the credit note   |
| CRD-DT | Date of credit note     | Indicate the date of the credit note issued  |
| INV-NO | Relating invoice number | Ensure that this corresponds where appropriate to the number given in Table G-2.2: Sales Listing |
| CUST   | Customer number         | As in Table G-2.2: Sales Listing   |
| QTY    | Quantity of sales       | Provide quantity (specify the unit of measurement) of product credited                           |
| VAL    | Value credited          | Provide the value of product credited  |

Please refer to Appendix 14(a), 14 (b) and 14 (c) on credit notes based on above format.(Submitted in Confidential Submission).

### G-3 Sales Price

1. FIW does not have a standard sales price list. The selling price is determined by taking into consideration the following factors:

\*\*\*\*\*

2. By referring to the above factors, internally the Petitioner will discuss and determine the reference selling price on monthly basis. Due to the influx of cheap imports, which are often quoted by our customers, most of the time the Petitioner needs to sell at below costs after negotiating with customers in order to secure enough orders, which now at times is even not possible, maintain some market share and to keep operations going on.

### G-4 Cost to Make and Sell

1. The actual unit cost to make and sell per unit is reflected in Table G-4.1 as below.

Table G-4.1 – Cost To Make and Sell Per Unit

Type/Model/Grade : PPGI  
Year : Year 1

| COST TO MAKE  | Oct 2011 - Dec 2011 | Jan 2012 - Mar 2012 | Apr 2012 - Jun 2012 | Jul 2012 - Sept 2012 |
|---|---------------------|---------------------|---------------------|----------------------|
| A. Production Quantity<br>(specify unit of measurement) | *****               | *****               | *****               | *****                |
| B. Variable Manufacturing Costs                         | *****               | *****               | *****               | *****                |

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| <b>COST TO MAKE</b>  | <b>Oct 2011 - Dec 2011</b> | <b>Jan 2012 - Mar 2012</b> | <b>Apr 2012 - Jun 2012</b> | <b>Jul 2012 - Sept 2012</b> |
|--|----------------------------|----------------------------|----------------------------|-----------------------------|
| Raw materials:<br>- local<br>- imported<br>Direct labour<br>Other<br>(specify)   |                            |                            |                            |                             |
| C. Fixed Manufacturing Costs   | *****                      | *****                      | *****                      | *****                       |
| Depreciation<br>Other mfg. Overheads<br>(specify)  | *****                      | *****                      | *****                      | *****                       |
| D. Work In Progress<br>(+) Opening work in progress<br>(-) Closing work in progress  | *****                      | *****                      | *****                      | *****                       |
| E. <b>TOTAL COST TO MAKE (B+C+D)</b>   | *****                      | *****                      | *****                      | *****                       |
| F. <b>UNIT COST TO MAKE (E/A)</b>  | *****                      | *****                      | *****                      | *****                       |
| <b>COST TO MAKE &amp; SELL</b>   | *****                      | *****                      | *****                      | *****                       |
| G. Sales Quantity<br>(specify unit of measurement)<br>- Domestic sales of local production<br>(excluding internal transfers)<br>- Export sales of local production | *****                      | *****                      | *****                      | *****                       |
| H. Selling & Distribution Expenses<br>(specify)  | *****                      | *****                      | *****                      | *****                       |

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| <b>COST TO MAKE</b>                          | <b>Oct 2011 - Dec 2011</b> | <b>Jan 2012 - Mar 2012</b> | <b>Apr 2012 - Jun 2012</b> | <b>Jul 2012 - Sept 2012</b> |
|--|----------------------------|----------------------------|----------------------------|-----------------------------|
| I. Administration & Other Expenses (specify) | *****                      | *****                      | *****                      | *****                       |
| J. Financial Expenses (specify)              | *****                      | *****                      | *****                      | *****                       |
| K. <b>TOTAL COST TO SELL (H+I+J)</b>         | *****                      | *****                      | *****                      | *****                       |
| L. <b>UNIT COST TO SELL (H+I+J)/G</b>        | *****                      | *****                      | *****                      | *****                       |
| M. <b>UNIT COST TO MAKE &amp; SELL (F+L)</b> | *****                      | *****                      | *****                      | *****                       |

*(Presented in indices- Submitted in Confidential Submission)*

Type/Model/Grade : PPGI  
Year : Year 2

| <b>COST TO MAKE</b>  | <b>Oct 2012 - Dec 2012</b> | <b>Jan 2013 - Mar 2013</b> | <b>Apr 2013 - Jun 2013</b> | <b>Jul 2013 - Sept 2013</b> |
|--|----------------------------|----------------------------|----------------------------|-----------------------------|
| A. Production Quantity (specify unit of measurement)   | *****                      | *****                      | *****                      | *****                       |
| B. Variable Manufacturing Costs<br>Raw materials:<br>- local<br>- imported<br>Direct labour<br>Other (specify) | *****                      | *****                      | *****                      | *****                       |
| C. Fixed Manufacturing Costs   | *****                      | *****                      | *****                      | *****                       |
| Depreciation<br>Other mfg. Overheads (specify)   | *****                      | *****                      | *****                      | *****                       |
| D. Work In Progress (+) Opening  | -                          | -                          | -                          | -                           |

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| COST TO MAKE  | Oct 2012 -<br>Dec 2012 | Jan 2013 -<br>Mar 2013 | Apr 2013 -<br>Jun 2013 | Jul 2013 -<br>Sept 2013 |
|---|------------------------|------------------------|------------------------|-------------------------|
| work in<br>progress<br>(-) Closing<br>work in<br>progress   |                        |                        |                        |                         |
| E. <b>TOTAL COST<br/>TO MAKE<br/>(B+C+D)</b>  | *****                  | *****                  | *****                  | *****                   |
| F. <b>UNIT COST TO<br/>MAKE (E/A)</b>   | *****                  | *****                  | *****                  | *****                   |
| COST TO MAKE<br>& SELL  | *****                  | *****                  | *****                  | *****                   |
| G. Sales Quantity<br>(specify unit of<br>measurement)<br>- Domestic<br>sales of local<br>production<br>(excluding<br>internal<br>transfers)<br>- Export sales<br>of local<br>production | *****                  | *****                  | *****                  | *****                   |
| H. Selling &<br>Distribution<br>Expenses<br>(specify)   | *****                  | *****                  | *****                  | *****                   |
| I. Administration &<br>Other Expenses<br>(specify)  | *****                  | *****                  | *****                  | *****                   |
| J. Financial<br>Expenses<br>(specify)   | *****                  | *****                  | *****                  | *****                   |
| K. <b>TOTAL COST<br/>TO SELL<br/>(H+I+J)</b>  | *****                  | *****                  | *****                  | *****                   |
| L. <b>UNIT COST TO<br/>SELL (H+I+J)/G</b>   | *****                  | *****                  | *****                  | *****                   |
| M. <b>UNIT COST TO<br/>MAKE &amp; SELL<br/>(F+L)</b>  | *****                  | *****                  | *****                  | *****                   |

(Presented in indices- Submitted in Confidential Submission)

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Type/Model/Grade : PPGI  
 Year : POI

| <b>COST TO MAKE</b>   | <b>Oct 2013 -<br/>Dec 2013</b> | <b>Jan 2014 -<br/>Mar 2014</b> | <b>Apr 2014 -<br/>Jun 2014</b> | <b>Jul 2014 -<br/>Sept 2014</b> |
|---|--------------------------------|--------------------------------|--------------------------------|---------------------------------|
| A. Production Quantity<br>(specify unit of measurement)   | *****                          | *****                          | *****                          | *****                           |
| B. Variable Manufacturing Costs Raw materials:<br>- local<br>- imported<br>Direct labour<br>Other (specify)   | *****                          | *****                          | *****                          | *****                           |
| C. Fixed Manufacturing Costs  | *****                          | *****                          | *****                          | *****                           |
| Depreciation<br>Other mfg. Overheads (specify)  | *****                          | *****                          | *****                          | *****                           |
| D. Work In Progress<br>(+) Opening work in progress<br>(-) Closing work in progress   | *****                          | *****                          | *****                          | *****                           |
| E. <b>TOTAL COST TO MAKE (B+C+D)</b>  | *****                          | *****                          | *****                          | *****                           |
| F. <b>UNIT COST TO MAKE (E/A)</b>   | *****                          | *****                          | *****                          | *****                           |
| <b>COST TO MAKE &amp; SELL</b>  | *****                          | *****                          | *****                          | *****                           |
| G. Sales Quantity<br>(specify unit of measurement)<br>- Domestic sales of local production (excluding internal transfers)<br>- Export sales of local production | *****                          | *****                          | *****                          | *****                           |
| H. Selling & Distribution Expenses (specify)  | *****                          | *****                          | *****                          | *****                           |
| I. Administration & Other Expenses (specify)  | *****                          | *****                          | *****                          | *****                           |
| J. Financial Expenses (specify)   | *****                          | *****                          | *****                          | *****                           |
| K. <b>TOTAL COST TO SELL (H+I+J)</b>  | *****                          | *****                          | *****                          | *****                           |



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| <b>COST TO MAKE</b>                              | <b>Oct 2013 -<br/>Dec 2013</b> | <b>Jan 2014 -<br/>Mar 2014</b> | <b>Apr 2014 -<br/>Jun 2014</b> | <b>Jul 2014 -<br/>Sept 2014</b> |
|--|--------------------------------|--------------------------------|--------------------------------|---------------------------------|
| <b>L. UNIT COST TO SELL<br/>(H+I+J)/G</b>        | *****                          | *****                          | *****                          | *****                           |
| <b>M. UNIT COST TO MAKE<br/>&amp; SELL (F+L)</b> | *****                          | *****                          | *****                          | *****                           |

*(Presented in indices- Submitted in Confidential Submission)*

**Unit cost to make and sell:**

|   | <b>Year 1<br/>Oct'11 - Sept'12</b> | <b>Year 2<br/>Oct'12 - Sept'13</b> | <b>POI<br/>Oct'13 - Sept'14</b> |
|---|------------------------------------|------------------------------------|---------------------------------|
| <b>UNIT COST TO MAKE AND SELL<br/>(E/A) (RM/MT)</b> | 100.0                              | 98.7                               | 100.4                           |

*(Presented in indices- Submitted in Confidential Submission)*

The Unit Cost to Make and Sell (CTMS) decreased in Year 2 compared to Year 1 but increased during POI due to the fall in production and capacity utilization, by way of reduced orders due to the pressure and presence of the dumped imports from the alleged countries. The Petitioner suffered in terms of CTMS.

**SECTION H**  
**MATERIAL INJURY (PROFITABILITY, RETURN AND CASH FLOW)**

**H-1 Profitability**

1. Table H-1.1 provides the sales transactions to unrelated parties in Malaysia

Table H-1.1: Profitability

| Description                                  | Year 1        |             | Year 2        |             | POI           |             |
|--|---------------|-------------|---------------|-------------|---------------|-------------|
|  | Domestic (RM) | Export (RM) | Domestic (RM) | Export (RM) | Domestic (RM) | Export (RM) |
| Sales  | *****         | *****       | *****         | *****       | *****         | *****       |
| Other Sales                                  |               |             |               |             |               |             |
| Less:  |               |             |               |             |               |             |
| Cost of Sales                                | *****         | *****       | *****         | *****       | *****         | *****       |
| Gross Profit                                 | *****         | *****       | *****         | *****       | *****         | *****       |
| Less:  |               |             |               |             |               |             |
| Selling, General and Administrative Expenses | *****         | *****       | *****         | *****       | *****         | *****       |
| Profit/ (Loss)                               | *****         | *****       | *****         | *****       | *****         | *****       |
| Other Income/ (Expense):                     |               |             |               |             |               |             |
| Income Tax (25%)                             | *****         | *****       | *****         | *****       | *****         | *****       |
| Net Profit                                   | *****         | *****       | *****         | *****       | *****         | *****       |
| Net Profit (All Sales)                       | 100           |             | 38            |             | -117          |             |

*(Presented in indices- Submitted in Confidential Submission)*

2. On domestic sales, the Petitioner suffered in terms of profitability in Year 2 and POI. In Year 1 the Petitioner recorded a net profit of \*\*\*\*\* but the profit decreased to RM\*\*\*\*\* which is a 78.5% drop in Year 2 **but suffered losses amounting to RM\*\*\*\*\* during POI**. The Petitioner suffered in terms of profitability.

**H-2 Return on Total Assets**

1. Table H-2.1 below captures the return on total assets employed in the production of product.

Table H-2.1: Return on Total Assets

| Description                            | Year 1 | Year 2 | POI    |
|--|--------|--------|--------|
| A. Net income* (RM)                    | 100    | 38     | -117   |
| B. Total assets* (RM)                  | *****  | *****  | *****  |
| C. Return on total assets (A/B) x 100% | 0.99   | 0.38   | (1.20) |

*(Presented in indices (Except value in C)- Submitted in Confidential Submission)*

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2. The Petitioner recorded positive return on asset in Year 1 but recorded a lower return on assets for Year 2 and during POI, recording a negative return on total assets. The Petitioner recorded material injury in Year 2 and during POI in terms return on assets. This is attributed to the presence of the dumped imports from the alleged countries that had both volume and price effects on the Petitioner who has not been able to see fair value of the products in the Malaysian market to get fair positive returns on assets. The Petitioner suffered in terms of return on assets.

### H-3 Investments

1. Investments were made only in Year 2 specific to the Like Products based on positive return on assets in Year 1 and this is reflected in Table H-3.1.

Table H-3.1: Investments

| Description  | Year 1<br>(RM)             | Year 2<br>(RM) | POI<br>(RM)                |
|--|----------------------------|----------------|----------------------------|
| Total Company Investments  | -                          | *****          | -                          |
| Total investments for the product<br>(If any) of which:<br>Capital : <ul style="list-style-type: none"><li>- Buildings</li><li>- Machinery &amp; equipment</li><li>- Other (specify)</li></ul> Non Capital : <ul style="list-style-type: none"><li>- R&amp;D</li><li>- Other (specify)</li></ul> | There is no<br>investments | *****          | There is no<br>investments |

*(Presented in indices- Submitted in Confidential Submission)*

2. In Year 2 the Petitioner made an investment of RM\*\*\*\*\*on \*\*\*\*\* to replace the older machine at the same time reduce the wastage of the chemicals.

### H-4 Return on Investment

1. Table H-4.1 represents the return on investment for the product.

Table H-4.1: Return on Investment

| Description                             | Year 1<br>(RM) | Year 2<br>(RM) | POI<br>(RM) |
|---|----------------|----------------|-------------|
|   |                |                |             |
|   |                |                |             |
| C. Return on investment<br>[(B/A) x100] | *****          | *****          | *****       |

*(Presented in indices- Submitted in Confidential Submission)*

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2. Despite investing in the \*\*\*\*\*machine, the Petitioner was not able to gain from the investments made in POI, recording a loss, despite investments made in Year 2. The Petitioner suffered in terms of ROI during POI.

### H-5 Cash Flow

1. Table H-5.1 shows cash flows arising from your company's activities in the production and sale of the product.

Table H-5.1: Cash Flow Statement for the Product

| CASH FLOW STATEMENT  | Year 1<br>(RM) | Year 2<br>(RM) | POI<br>(RM) |
|--|----------------|----------------|-------------|
|  |                |                |             |
| Operating Income   | *****          | *****          | *****       |
| Adjustment to reconcile net income to net cash provided by operating activities: | *****          | *****          | *****       |
| Depreciation and amortization  | *****          | *****          | *****       |
| Defined benefit obligations  | *****          | *****          | *****       |
| Changes in other accounts affecting operations:                                  | *****          | *****          | *****       |
| (Increase)/ decrease in accounts receivable                                      | *****          | *****          | *****       |
| (Increase)/ decrease in inventories  | *****          | *****          | *****       |
| (Increase)/ decrease in prepaid expenses   | *****          | *****          | *****       |
| Increase/ (decrease) in account payable  | *****          | *****          | *****       |
| Increase/ (decrease) in taxes payable  | *****          | *****          | *****       |
| Others (specify):  | *****          | *****          | *****       |
| Net income tax refunded/(paid)   | *****          | *****          | *****       |
| Retirements benefits paid  | *****          | *****          | *****       |
| Purchase of PPE (addition)   | *****          | *****          | *****       |
| Cash and cash equivalents at beginning of year                                   | *****          | *****          | *****       |
| Cash and cash equivalents at end of the year                                     | 100            | 91             | 86          |

*(Presented in indices- Submitted in Confidential Submission)*

2. The cash flow decreased from Year 1 to Year 2 to by 8.94% and further decreased by 5.95% from Year 2 to POI. The Petitioner suffered in terms of decreasing cash flow in Year 2 and POI.

**SECTION I  
CAUSAL LINK**

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**I-1 Other Factors**

1. Here a number of other factors are examined to see if these factors could have been a cause of the material injury suffered by the Petitioner. If these other factors are indeed not a cause to the material injury suffered by the Petitioner, one can but only conclude that the material injury suffered by the Petitioner is due to dumped imports from the alleged countries, thus supporting causal link between the material injury suffered by the Petitioner to the dumped imports.
2. Nevertheless, overall the Petitioner is not aware of any other factors that could have decisively caused material injury to the Domestic Industry other than the dumped imports.

**a. Exports by Petitioner are not a cause to the Material Injury Suffered by Petitioner**

3. Though the Petitioner experienced some decrease in export sales only during POI compared to Year 2 but the quantity was minimal, a decrease of only \*\*\*\*\*MT or 11.10% compared to total sales of the Petitioner. However it is to be emphasised that the root cause was the presence of the dumped imports that had caused a drastic drop in sales volume in Year 2 by 29.88% and a further continued drop during POI by 7.96% causing loss in market share and decreased capacity utilization that had resulted in losing out in economies of sales/production that also affected the sales price of the Petitioner in the export market, thus contributing to the losses even in export market.

**b. Material Injury Suffered in Not Due to Internal Price Competition But the Low Dumped Price of the Alleged Countries**

4. Based on the industry information through our marketing efforts, the losses faced by the Petitioner is not due to internal price competition among local producers but rather having to match price offered by the dumped imports from the alleged countries which has become the reference price in the Malaysian market in order to make some sales, even having to go below CTMS to make the sales.
5. The very low price offered by the alleged countries against FIW prices are shown below:



**c. Material Injury Suffered by the Petitioner is Not Due to Technology / Quality Issue**

6. Despite taking steps to cut costs, the productivity suffered and the Petitioner was faced with fewer orders and at times no orders which is against the economic upturn that Malaysia is enjoying and loss of orders can only be attributed to the presence of dumped import. In fact the Petitioner did enjoy profits in Year 1 and non-acceptance in terms of quality does not arise and adding further that the technology used by the Petitioner is at comparative level of the imports as the Petitioner is able to produce the Like Products meeting internationally accepted standards as provided in Section D-1-2 (e).

**d. Imports from Non-Alleged Japan is not a Cause of Material Injury Suffered by the Petitioner**

7. Imports from Japan are comparatively much lower but above negligible volume but their prices are above those of the Petitioner and did not pose an issue in terms of price effects and thus could not be a cause to the material injury suffered by the Petitioner – which the Petitioner strongly believes is also experienced by the producers comprising the Domestic Industry. The table below and ensuing chart support this claim that Japanese imports are not a cause to the injury suffered by the Petitioner:

**I – 2 Volume Effects**

1. The following table shows the comparative market share of the cumulated dumped imports from the alleged countries, where the cumulative consideration is allowed and based on Article 3.3 of the WTO Anti-dumping Agreement, as against the total domestic sales (estimated) that demonstrates the causal effect of the imports on material injury to the Domestic Industry in terms of volume effects during POI compared with Year 2. A further comparison with apparent consumption also supports the case of volume effect on the Domestic Industry due to the dumped imports.

**Domestic Industry vs Alleged Countries – Volume of imports/ Consumption/ Production (MT)**

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|        | *Domestic Sales |                          | Import Volume Alleged countries |                          | *Total               | *Domestic Production |
|--------|-----------------|--------------------------|---------------------------------|--------------------------|----------------------|----------------------|
|        | Total           | %of Apparent Consumption | Total                           | %of Apparent Consumption | Apparent Consumption |                      |
|        | (MT)            |                          | (MT)                            |                          | (MT)                 | (MT)                 |
| Year 1 | 100.0           | 100                      | *****                           | 100                      | *****                | 100                  |
| Year 2 | 94.3            | 114.8                    | *****                           | 63.2                     | *****                | 95.7                 |
| POI    | 92.5            | 110.4                    | *****                           | 74.6                     | *****                | 84.9                 |

*(Presented in indices- Submitted in Confidential Submission)*

\*Source: Actual domestic sales from FIW/CSC/YKGI Bluescope;

Amcan and Colourcoil Industries Sdn. Bhd. are estimated and estimation basis provided in Appendix 8(a) and 8(b)

Import volume from DOS Statistics (Apparent Consumption = Domestic Sales + Total Imports)

- It is to be noted from the above figures in the table that total domestic sales volume (estimated) in absolute terms decreased during POI compared to Year 2 (by\*\*\*\*\*%) whereas the imports from the alleged countries moved in the opposite direction, increasing in both absolute terms (20.39%) and relative to apparent consumption (from \*\*\*\*\*% to \*\*\*\*\*%) indicating the undeniable link between the alleged dumped imports and the material injury suffered by the Domestic Industry in terms of loss of market share. The scenario is the same in the case of the Petitioner's material injury suffered in terms of volume effect.
- To further illustrate that it is the dumped imports from the alleged countries and not the non-alleged countries causing negative volume effects, a comparison is made between POI to Year 2, where the non-alleged countries' import volume decreased by \*\*\*\*\*% in absolute terms and also decreased by \*\*\*\*\*% relative to apparent consumption against an apparent consumption that increased by \*\*\*\*\*% during the same period of comparison. The import volume from non-alleged countries and as a percentage of apparent consumption is reflected here below:

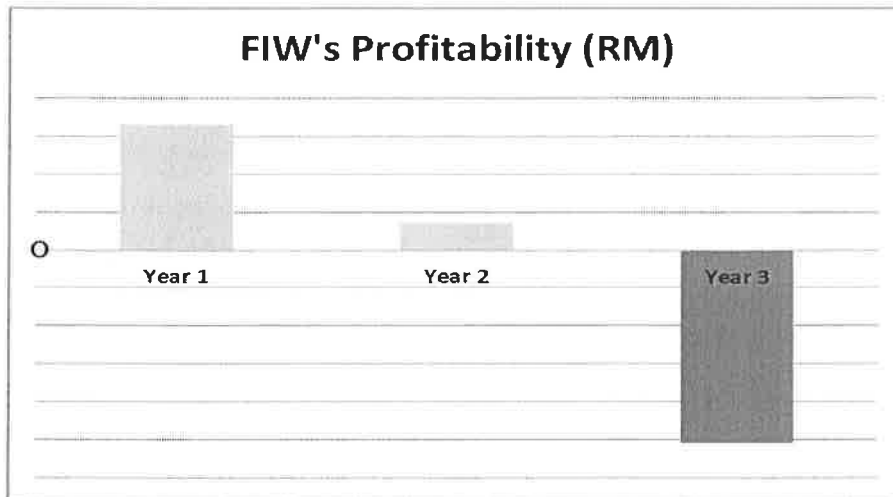
|        | Import Volume Non-Alleged countries |                          |
|--------|-------------------------------------|--------------------------|
|        | Total                               | %of Apparent Consumption |
|        | (MT)                                |                          |
| Year 1 | *****                               | 100                      |
| Year 2 | *****                               | 89                       |
| POI    | *****                               | 81                       |

*(Presented in indices- Submitted in Confidential Submission)*

This further supports that the imports from the non-alleged countries are not a cause to the material injury suffered by the Domestic Industry and the Petitioner in terms of volume effects and seals the causal link of injury suffered in terms of volume effects to the dumped imports from the alleged countries.

### I – 3 Profitability

1. On domestic sales, the Petitioner suffered in terms of profitability, reduced profits in Year 2 and making a loss POI. In Year 1, the Petitioner recorded a net profit of RM\*\*\*\*\*suffered decreased profits to a low RM\*\*\*\*\* in Year 2 and incurred losses of RM\*\*\*\*\* during POI resulting in negative profitability. The following chart demonstrates material injury suffered by Petitioner in terms of profitability:



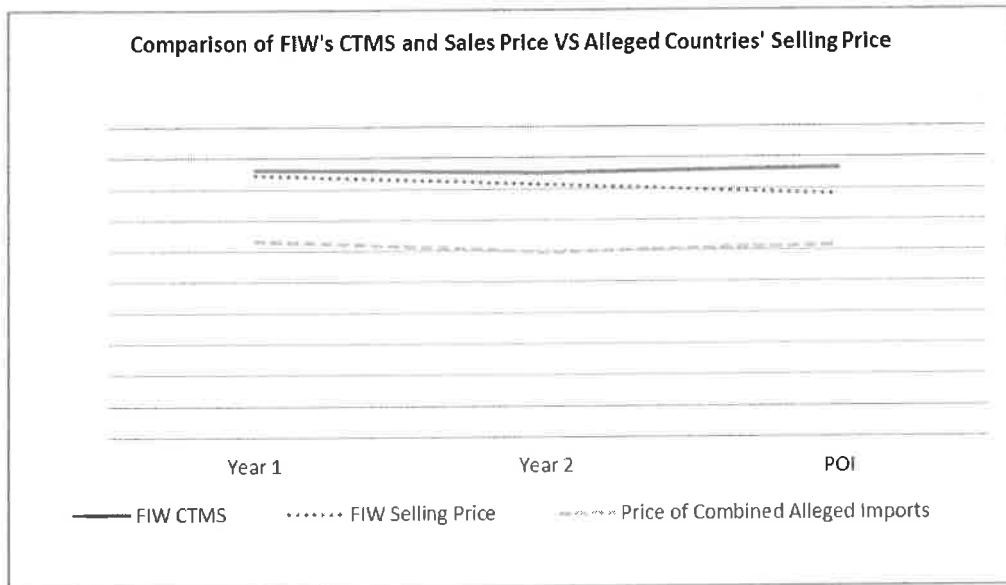
2. As explained under Section H: Material Injury (Profitability) the drastically low production volume and capacity utilisation due to the presence of dumped imports from the alleged countries, has affected not only the sales volume but also forced the Petitioner to sell below cost to make and sell (CTMS) in order to maintain some sales and to have some operational activities to be continued, which has led to affecting the profitability of the company. The causal effect is established as the loss in profitability is tied to the dumped imports through volume and price effects. Price effects are dealt below.

### I – 4 Price Effects

#### Price Suppression

1. The existence of price suppression is demonstrated through comparison of Cost to Make and Sell (CTMS) and sales price of the Petitioner with the prices offered by the dumped imports. The following chart provides the comparison:





2. The Petitioner experienced an increase in CTMS during POI generally due to lower sales volume, unable to sell having to compete with dumped imports and could not increase its selling price; and in fact the Petitioner had to sell below CTMS as the dumped imports were being sold at much lower prices and upsetting the selling prices in the Malaysian market for the Like Products. The Petitioner had no choice but to go down in selling price to make some sales. The Petitioner suffered in terms of price suppression due to the dumped imports.

**Price Undercutting and Price Depression**



3. Significant price undercutting by the dumped imports from the alleged countries is clearly evident from the above chart. Although there is a slight increase in price of Chinese imports in POI but the price still significantly undercut the Petitioners

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prices. The net effect, as the price undercutting/underselling occurred during all three (3) years, the general selling price of Petitioner also saw price depression.

4. Based on this chart and the chart under Paragraph I - 4.1 above, in terms of price effects, FIW suffered price undercutting, price depression and price suppression thus clearly establishing the unbreakable causal link in terms of price effects faced by FIW due to the dumped imports from the alleged countries.

### **I – 5 Other Economic Factors**

1. When local producers have to resort to matching dumped import prices and having to go below cost to make and sell in order to make sales, this in turn affects other economic factors leading to material injury faced by the Petitioner which is also reflective of the Domestic Industry.
2. The Petitioner has thus suffered material injury in terms of marked reduction in capacity utilization, slight inventory build-up even with reduced production, retrenchment is imminent if the situation continues as the wages have also taken to a worse situation due to again reduced production and sales; with these as the back drop, it would be a difficult situation to support further investments in the industry although the Petitioner invested in Year 2 but only to see large losses during POI, affecting both return on assets and investments.
3. Further, the existence with evidence of material injury suffered by the Petitioner has been demonstrated during POI in terms of negative profitability, negative return on assets, negative return on investments and reduced cash flow which have been demonstrated under Section H of this Petition. This poor situation suffered by the Petitioner which the Petitioner believes is also reflective of the poor situation faced by the Domestic Industry players due to the presence of the dumped imports from the alleged countries.

**SECTION J**  
**PUBLIC INTEREST**

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**J-1 Malaysian Market**

1. The types, grades, and sizes of Prepainted/ Painted Colour Steel Coils are stated under D-1 Product Specifications/ Technical Characteristics and the main uses of these products are for construction sector, i.e. roofing, cladding, wall panel, hoarding, fencing, awning, ceiling, sandwich panel, cold room, roller shutter, and rain water goods such as flashing, rain gutter, and downpipe.
2. Demand of Prepainted/ Painted Colour Steel Coils in Malaysian market can be broadly categorized under the following 2 types according to usage:
  - a. Construction Sector
  - b. Electronic & Electrical (E & E) and Automotive Sector
3. Total apparent consumption is estimated to be in the ball park of about 212,264 MT per annum mainly for the construction sector and this can be fully satisfied by local six (6) producers. However, about 29.39% of this is being imported where 80.11% of these imports are accounted by just the two alleged countries.
4. The imports generally supply more towards meeting the demand of the construction sector and directly in competition with the domestic producers in Malaysia. The imports are normally brought in by roll-formers and fabricators for their own value adding; and through traders who are just buying and selling without any value-adding process.
5. As for imports for the use in E & E and automotive sectors, it is normally done by the manufacturers themselves or through service centers, which provide slitting, shearing, and in some cases, stamping services to the end users. This usage base on the Petitioner's estimation accounts for less than 5% of the total domestic consumption.
6. The Malaysian economy has done well last year and this year the growth is expected to be maintained which in turn will reflect the increase on the use of Like Products to satisfy the expected growing demand - used for roofing installation as well as walling structure. The Domestic Industry is being denied a fair share of the economic cake, both in terms of market share and fair pricing, by the presence of dumped imports through unfair trade practice of dumping.
7. It is a well-recognized fact that the global glut of steel products and combined with slowing down of economic activities in important markets, including China, there is a tendency for some producers to produce, without having any consideration on fair pricing, which is aimed by these unscrupulous producers to maintain a high capacity utilization to gain from economies of scale and to just sell them at all costs without having any consideration as to whether it makes any business sense.
8. The Malaysian Domestic Industry welcomes competition but not by unfair means to dump and take market share and forcing the prices downwards to make it not

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profitable and cause material injury to the Domestic Industry. This is what this Petition is trying to address by requesting for an investigation to impose anti-dumping duties to raise the prices in the **Malaysian market to a fair value**.

### J-2 Effect of Continued Imports

1. Evidence as provided by the Petitioner is a good reflection of the state of the Domestic Industry producing the Like Products and they have been suffering both in terms of volume effects through loss of market share in absolute and relative terms and price effects through the effects of price under cutting, price depression and price suppression which, based on the current trend of imports, it is very likely to continue in the future unless the unfair trade practice of dumping is neutralized by imposing the appropriate anti-dumping duty.
2. As demonstrated by the Petitioner, the Petitioner's capacity utilization has gone down and the workers are not at full employment and have been assigned to do other odd jobs and the Petitioner is in the verge of taking retrenchment exercise if no reprieve is given in the form of antidumping duties. This step if taken not only by the Petitioner but also the other Domestic Producer, will have other far reaching negative effects on the ancillary activities that support the presence of the industry.
3. **It would therefore not be against public interest to impose the antidumping duties on foreign producers/exporters from the alleged countries that have and are continuing to upset the Malaysian market and materially injuring the Domestic players. The antidumping duties imposed will help to negate the unfair prices offered by the dumped imports from the alleged and raise the prices in the Malaysian market to fair level so that all players can compete based on fair prices.**

### CONCLUSION

Based on aforementioned *prima facie* evidence of dumping, material injury and causal link, the Petitioner respectfully requests the Government of Malaysia to initiate an antidumping investigation against producers/exporters from the alleged countries and impose anti-dumping duties to bring the prices of the Subject Merchandise in the Malaysian Market to a fair level.

**CHECKLIST**

*The purpose of the following checklist is to ensure that you have answered all questions in section A to section I and to permit a quick survey on information, which may be missing. Tick the box where complete information is submitted or where information has not sufficiently been provided:*

| <b>Section</b>                                 | <b><i>Tick if complete<br/>information is<br/>submitted</i></b> | <b><i>Tick if<br/>information is not<br/>or insufficiently<br/>submitted</i></b> |
|--|---|--|
| Section A: Company Structure and Operations    | ✓   |  |
| Section B: Accounting System                   | ✓   |  |
| Section C: Domestic Industry                   | ✓   |  |
| Section D: Product Description                 | ✓   |  |
| Section E: Dumping                             | ✓   |  |
| Section F: Operation Statistics                | ✓   |  |
| Section G: Sales                               | ✓   |  |
| Section H: Profitability, Return And Cash Flow | ✓   |  |
| Section I: Causal Link                         | ✓   |  |
| Section J: Public Interest                     | ✓   |  |

