



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2010/40

Certain aluminium extrusions

Exported from

The People's Republic of China (China)

Finding in relation to a dumping and subsidisation investigation

CUSTOMS ACT 1901 – PART XV B

The Australian Customs and Border Protection Service (Customs and Border Protection) has completed its investigation into the alleged dumping and subsidisation of certain aluminium extrusions, classified under the following tariff subheadings of Schedule 3 to the *Customs Tariff Act 1995*:

- 7604.10.00 – statistical code 06;
- 7604.21.00 – statistical codes 07 and 08;
- 7604.29.00 – statistical codes 09 and 10;
- 7608.10.00 – statistical code 09;
- 7608.20.00 – statistical code 10;
- 7610.10.00 – statistical code 12; and
- 7610.90.00 – statistical code 13

exported to Australia from China (the goods).

In Trade Measures Report No. 148 (REP 148) Customs and Border Protection recommended the publication of a dumping duty notice and a countervailing duty notice in respect of the goods. REP 148 outlines the investigations carried out by Customs and Border Protection, a statement of the reasons for the recommendations contained in REP 148, material findings of fact or law on which Customs and Border Protection's recommendations were based and particulars of the evidence relied on to support the findings.

In REP 148, Customs and Border Protection found that:

- with the exception of one exporter, Tai Ao (Taishan) Co Ltd (Tai Ao), aluminium extrusions exported from China to Australia were:
 - dumped with margins ranging from 2.7% to 25.7%; and
 - subsidised with margins ranging from 3.8% to 18.4%;
- the dumped and subsidised exports from China caused material injury to the Australian industry producing like goods; and
- continued dumping and subsidisation may cause further material injury to the Australian industry.

Particulars of the dumping and countervailing margins established for each of the exporters and an explanation of the methods used to compare export prices and normal values to establish the dumping margins are set out in the following tables:

Exporter	Dumping margin	Method to establish dumping margin	Subsidy margin	Countervailable subsidy program/s*
TAI SHAN CITY KAM KIU ALUMINIUM EXTRUSION CO LTD	3.1%	Comparison of weighted average of export prices over the whole of the investigation period with the weighted average of corresponding normal values over the whole of that period in accordance with s.269TACB(2)(a) of the <i>Customs Act 1901</i> (the Act).	3.8%	13, 15
ZHAOQING NEW ZHONGYA ALUMINIUM CO LTD	2.7%		7.6%	10, 13, 15
PANASIA ALUMINIUM (CHINA) LTD	10.1%		6.1%	15
ALNAN ALUMINIUM CO. LTD.	6.1%	Comparison of weighted average of export prices over the whole of the investigation period with the weighted average of corresponding normal values over the whole of that period in accordance with s.269TACB(2)(a), having regard to the requirements of s.269TG(3B) and s.269TG(3C) of the Act.	6.4%	10, 13, 15
BEIJING GENERAL RESEARCH INSTITUTE FOR NON FERROUS METALS	6.1%		6.4%	10, 13, 15
COSCO ALUMINIUM DEVELOPMENT	6.1%		6.4%	10, 13, 15
FOSHAN JMA ALUMINIUM CO., LTD	6.1%		6.4%	10, 13, 15
FOSHAN GUANG CHENG ALUMINIUM CO. LTD.	6.1%		6.4%	10, 13, 15
FOSHAN NANHAI YONGFENG ALUMINIUM CO., LTD	6.1%		6.4%	10, 13, 15
FOSHAN SANSHUI FENGLU ALUMINIUM COMPANY LIMITED	6.1%		6.4%	10, 13, 15
FUJIAN LONGYAN LIANFA ALUMINIUM CO. LTD	6.1%		6.4%	10, 13, 15

Exporter	Dumping margin	Method to establish dumping margin	Subsidy margin	Countervailable subsidy program/s*
FUJIAN MINFA ALUMINIUM CO LTD	6.1%	Comparison of weighted average of export prices over the whole of the investigation period with the weighted average of corresponding normal values over the whole of that period in accordance with s.269TACB(2)(a), having regard to the requirements of s.269TG(3B) and s.269TG(3C) of the Act.	6.4%	10, 13, 15
FUJIAN YONGCHUN CHUANGHENG (SHAUNGHENG) ALUMINIUM	6.1%		6.4%	10, 13, 15
FUZHOU TCI CORPORATION GOLDEN POWER CO., LTD.	6.1%		6.4%	10, 13, 15
GUANGDONG HUACHANG ALUMINIUM FACTORY CO LTD	6.1%		6.4%	10, 13, 15
GUANGDONG JIANMEI ALUMINIUM PROFILE FACTORY	6.1%		6.4%	10, 13, 15
GUANGDONG WEIYE ALUMINIUM FACTORY CO., LTD.	6.1%		6.4%	10, 13, 15
GUANGDONG XINGFA ALUMINIUM COMPANY LIMITED	6.1%		6.4%	10, 13, 15
GUANG YA ALUMINIUM INDUSTRIES CO., LTD	6.1%		6.4%	10, 13, 15
HYDRO ALUMINIUM (SUZHOU) CO LTD	6.1%		6.4%	10, 13, 15
JIANGYIN EAST-CHINA ALUMINIUM TECHNOLOGY	6.1%		6.4%	10, 13, 15
KINGLE ALUMINIUM TECHNOLOGY STOCK CO LTD NEW HOCHA ALUMINIUM INDUSTRY CO LTD	6.1%		6.4%	10, 13, 15
PENGLAI SANLING LOCKS CO LTD	6.1%		6.4%	10, 13, 15

Exporter	Dumping margin	Method to establish dumping margin	Subsidy margin	Countervailable subsidy program/s*
PMH ALUMINIUM EXTRUSION CO LTD	6.1%	Comparison of weighted average of export prices over the whole of the investigation period with the weighted average of corresponding normal values over the whole of that period in accordance with s.269TACB(2)(a), having regard to the requirements of s.269TG(3B) and s.269TG(3C) of the Act.	6.4%	10, 13, 15
PRESS METAL INTERNATIONAL LTD	6.1%		6.4%	10, 13, 15
SHANDONG NASHAN ALUMINIUM CO LTD	6.1%		6.4%	10, 13, 15
SHANGHAI UNISON ALUMINUM PRODUCTS	6.1%		6.4%	10, 13, 15
SILVER 100 ALUMINIUM INNOVATION (GUANGDONG) LIMITED	6.1%		6.4%	10, 13, 15
TAISHAN GOLDEN GAIN ALUMINIUM PRODUCTS LIMITED	6.1%		6.4%	10, 13, 15
YANGJIANG KITSEN CONSTRUCTION HARDWARE CO LTD	6.1%		6.4%	10, 13, 15
ALL OTHER EXPORTERS EXCEPT TAI AO ALUMINIUM (TAISHAN) CO LTD	25.7%	Comparison of weighted average of export prices over the whole of the investigation period with the weighted average of corresponding normal values over the whole of that period in accordance with s.269TACB(2)(a) of the Act.	18.4%	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 15, 16, 17, 18, 26, 29, 32 and 35

*The names and details of each of the above countervailable subsidy programs are contained within REP 148.

The Attorney-General has accepted Customs and Border Protection's recommendations in relation to the alleged dumping and subsidisation of the goods exported to Australia from China contained in REP 148. Notice of the Attorney-General's decision was published in The Government Notices Gazette and *The Australian* newspaper on 28 October 2010.

Measures apply to goods that are exported to Australia after publication of the Attorney-General's notice. Any dumping securities that have been taken on and from 28 April 2010 and countervailing securities taken on and from 28 June 2010, will be converted to interim dumping duty and interim countervailing duty respectively.¹ Importers will be contacted by the Regional Securities Officer in their respective capital city detailing the required conversion action for each security taken.

Measures apply to all exporters of the goods and like goods from China except Tai Ao.

To preserve confidentiality, the export price, normal value and non-injurious price will not be published. Bona fide importers of the goods can obtain details of the rates from the Dumping Liaison Officer in their respective capital city.

Interested parties may seek a review of this decision by lodging an application with the Trade Measures Review Officer in accordance with the requirements in Division 9 of Part XVB of the Act within 30 days of the publication of the Attorney-General's notice (i.e by 27 November 2010).

REP 148 is available on the internet at www.customs.gov.au. Copies of REP 148 are also available on request from Trade Measures Branch, Customs and Border Protection, by telephone (02) 6275 6547 or fax (02) 6275 6990.

Enquiries concerning this notice may be directed to the case director on telephone (02) 6275 6134, fax (02) 6275 6990 or email tmops3@customs.gov.au.

JUSTIN WICKES
A/g National Manager
Trade Measures Branch
CANBERRA ACT

28 October 2010

¹ Under the terms of s45(3)(a) of the Act, a dumping security taken in respect of interim dumping duty that may be payable on goods shall be cancelled six months after the security was taken. Under the terms of s45(3)(b) of the Act, a security taken in respect of interim countervailing duty that may be payable on goods shall be cancelled four months after the security was taken.