

MOST URGENT
No. 0309/ 5079



Department of Foreign Trade
Ministry of Commerce
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24 November B.E.2560 (2017)

Dear Mr.Dale Seymour,

Subject: Initiation of an investigation into alleged dumping of certain aluminium extrusions exported from Thailand

The Department of Foreign Trade (DFT), Ministry of Commerce of the Kingdom of Thailand, presents its compliments to the Australian Anti-dumping Commission and would like to refer to the Anti-dumping notice No.2017/144 dated 19th October 2017 on the initiation of an investigation into alleged dumping of certain aluminium extrusions exported from Thailand.

First, the DFT would like to ensure that our producers/exporters will make their utmost effort to fully cooperate with the Anti-dumping Commission on this case in order to avoid any adverse result of the investigation and the DFT is in the position to encourage them to do so as we believe that our exporters mean no harm to Australian market.

While the WTO Anti-dumping Agreement allows Members to apply an anti-dumping measure to remedy injury caused by dumped imports, the DFT is of the view that it is premature, at this stage, to allege that “the emergency of dumped goods” from Thailand impedes the desired effects of the anti-dumping measure recently applied against the goods from Malaysia and Vietnam. It is unclear and uncertain to demonstrate, in a timely manner, that the anti-dumping measure applied on 28 June 2017 is insufficient to remedy the injury caused to Australian industry.

Moreover, the evidence of injury in the application shown by Australian industry is comprised of the data from 1 October 2013 which reveals the difference in magnitude of the volume of imports from Thailand and other countries that the Anti – Dumping Commission has already imposed the AD measures. Consequently, it is conclusive that injury should already be remedied by the anti-dumping measures previously applied and should not be attributed to our exports.

It is also noted that, in order to defend their interests, our producers/exporters must have an opportunity to see all information relevant to the presentation of this case. The DFT is convinced that the volume of imports used as a basis for the initiation from Australian Department of Immigration and Border Protection’s data as well as the

adjustment on export price and the normal value should be shown to our exporters/producers with a view to reviewing the accuracy and adequacy of information.

Referring to an anti-circumvention investigation related to certain aluminium extrusions exported through Thailand from the People's Republic of China, the DFT would like to draw your attention to the fact that Thailand export statistics show the consecutive decline in exports of the subjected goods to Australia. Therefore, it is unlikely that the alleged circumvention exists and to this end, the DFT would like the Anti-dumping Commission to reconsider the initiation of this investigation.

Last, in case where the investigations on anti-dumping and anti-circumvention are in parallel, the DFT strongly believes that import data used in both cases should be separated as the above-mentioned investigations are served their different purposed.

The DFT avails itself of this opportunity to renew to the Australian Anti-dumping Commission assurances of its highest consideration and will be most grateful for your kind and careful consideration of our views in this matter.

Yours sincerely,



(Mr. Wanchal Varavithya)
Deputy Director-General
For Director-General

Commissioner
Anti-dumping Commission
AUSTRALIA