

PUBLIC RECORD

Anti-Dumping Commission

File Note by Jukka Mäntynen

ANTI-CIRCUMVENTION INQUIRY 447

ALUMINIUM EXTRUSIONS EXPORTED FROM CHINA

THIRD COUNTRY EXPORTS

File note re phone call on 8 December 2017

Jukka Mäntynen Anti-Dumping Commission

US Representative Director, AD/CVD Policy and Programs Division

Office of Trade

US Customs and Border Protection

I explained to the US Representative the role of the Commissioner and gave a brief description of Anti-Circumvention Inquiry 447 and of the Commission's role and procedures conducting such inquiries.

The US Representative explained the role of his agency and we agreed that that was similar to that of the Australian Border Force. The US Representative's brief description of the conduct of anti-dumping, countervailing and anti-circumvention inquiries by the US Department of Commerce was similar to the role of the Anti-Dumping Commission.

The US Representative indicated that US Customs and Border Protection has always maintained a compliance regime, but now has extra powers under the *Enforce and Protect Act*. This Act formalises parts of the compliance regime, gives some extra powers and is applied as the result of an application by industry.

The US Representative undertook to provide me with links to publicly available information regarding criminal convictions against parties found to be circumventing measures on aluminium extrusions by transshipping goods through Malaysia. He subsequently provided me with various links to publicly available documents related to convictions against certain parties that have resulted from US Customs and Border Protection compliance and enforcement activities.

The US Representative said that the US International Trade Commission publishes trade data that might be useful to the conduct of Anti-Circumvention Inquiry 447. We agreed that obtaining data on trade between China and other countries at the level of detail needed to conduct investigations and obtain direct evidence was challenging.

I indicated that the Commissioner welcomes contact with agencies overseas to discuss common ground on anti-dumping, countervailing and anti-circumvention matters. The US Representative said he was happy for the Commission to make further contact if necessary.