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#### Public File

Dear Mr McGovern

#### **Investigation No. 392 –Review of measures applicable to aluminium extrusions exported from P R China – Submission by Goomax Metal Co., Ltd Fujian**

I refer to the submission on behalf of Goomax Metal Co., Ltd Fujian (“Goomax”) concerning Statement of Essential Facts No. 392 (“SEF 392”).

Goomax’ representations are based upon its dissatisfaction that the findings in Accelerated Review No. 399 (“Review 399”) will be superseded by Review Investigation’s No. 392 outcomes. It should be noted that Review Inquiry 399 was an ‘Accelerated review’ involving Goomax only as the subject applicant for separate variable factors to apply, and did not export during the investigation period.

The Anti-Dumping Commission (“the Commission”) received an application from Goomax and proceeded with an investigation. Review 399 is a 100-day investigation, substantially reduced from the standard 155-day investigation timeframe, as it involves the establishing variable factors for a single exporter only. For Goomax, there were no exports during the investigation period and the Commission recommended the Assistant Minister determine the export price equal to the normal value. This was accepted by the Assistant Minister.

Review 392, however, involved all exporters of the goods from China to which measures applied. This review included exporter questionnaire responses from numerous parties such that the Commission was required to undertake “sampling” so that it could complete the review inquiry within the legislated timeframe. The availability of broader information (i.e. more preferred than no export information for one exporter, Goomax) was a more preferred outcome for the Commission in examining the review of variable factors for all exporters in China. Certain exporters were identified as ‘selected’ exporters; remaining cooperative exporters were determined as *residual* exporters.

As Goomax had not exported volumes during the identified investigation period, and there were numerous cooperating exporters, Goomax was identified as a *residual* exporter for the purposes of Review 392. The participation of a number of cooperative exporters enabled the Commission to rely upon broader information for determining export prices and normal values for Goomax – as a residual exporter, than was available to the Commission during Review 399.

The absence of export information for Goomax in Review 399 was a limitation on the Commission’s ability to determine an actual export price for Goomax. Full cooperation of numerous exporters in Review 392

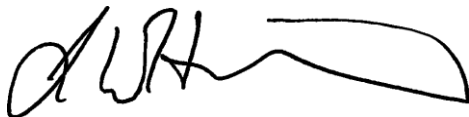
enabled the Commission to have access to broader information (than that applicable to just Goomax) and to overcome the limitations in Review 399 (i.e. the absence of export selling price information for the goods for Goomax).

The Commission has accepted the information provided by Goomax as a *residual* exporter in Review 392. In the absence of exports by Goomax during the investigation period, the Commission was able to rely upon the weighted-average export prices for other cooperative Chinese exporters during the investigation period. This information is considered reliable information in the absence of any export information that cannot be furnished by Goomax.

The Commission has examined all exporters of aluminium extrusions from China in Review 392. The information available to the Commission in confirming variable factors for Goomax in Review 392 is far more comprehensive and reliable than what was available to the Commission in Review 399. The Commission's position to notify that the findings in investigation No. 392 would supersede the determination of variable factors in Review 399 is therefore the correct decision based upon the relevant information before the Commission.

If you have any questions concerning this letter, please do not hesitate to contact me on (02) 8222 0113 or Capral's representative Mr John O'Connor on (07) 3342 1921.

Yours sincerely

A handwritten signature in black ink, appearing to read 'LHAWKINS', with a long horizontal flourish extending to the right.

Luke Hawkins  
General Manager – Supply and Industrial Solutions