

31 July 2023

The Director  
Investigations Unit 4  
Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601

Dear Director

### Public File

#### **Reinvestigation No. 591 – Anti-Dumping Commission Preliminary Reinvestigation Report – Further Submission of 28 July 2023 by PMAA and PMBA**

We refer to the most recent submission dated 28 July 2023 by Press Metal Aluminium (Australia) Pty Limited (PMAA), PMB Aluminium Sdn Bhd (PMBA) and related entities (collectively “Press Metal”).

The further Press Metal submission claims to “clarify” its earlier submission of 10 July 2023. Capral Limited (“Capral”), however, considers that the claimed clarification submission does nothing to warrant the Anti-Dumping Commission (“the Commission”) altering (or re-considering) the preliminary findings contained in the Preliminary Reinvestigation Report (PRR).

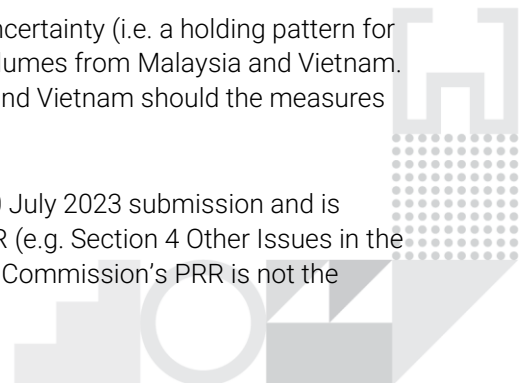
Press Metal’s additional representations rely upon the claims that there is an alleged insufficient amount of information to demonstrate a likelihood that material injury will recur in the absence of the measures and, that the passing of time that has resulted in the delayed finalisation of the ADRP appeal (with an alleged no deterioration in the industry’s financial position) supports its assertion of an absence of injury.

We unequivocally disagree.

The claimed absence of examples and financial information from “seven (7) of the eight (8)” industry members is incorrect. Additionally, Press Metal has sought to challenge the price undercutting analysis of the Commission as not representing price comparisons claiming the MCCs are “not substitutable for one another”. Press Metal also continues to focus on the market share of the dumped exports as being immaterial at “less than 2%”. The Commission confirmed that the price undercutting had a pervasive impact across a broad customer base and that it was likely that in the absence of the measures the importers would again seek to supply those customers. It is unclear to Capral how Press Metal can assert that the price undercutting analysis is deficient when it does not have access to the price information provided by the Australian industry. Following on from its claimed insufficient evidence and relevant price elasticities, Press Metal continues to argue that the PRR “is not supported by either its analysis or evidence”. Capral rejects Press Metal’s further representations in its 28 July 2023 submission that seek to further question the Commission’s analysis.

The extended delays with the ADRP Review process have contributed to the uncertainty (i.e. a holding pattern for imports from Malaysia and Vietnam) of importers from seeking to increase volumes from Malaysia and Vietnam. The available information supports a likely increase in exports from Malaysia and Vietnam should the measures expire (including the completion of the ADRP Review process).

The Press Metal submission has ventured beyond a mere clarification of its 10 July 2023 submission and is targeted at raising new and previously limited responses on findings in the PRR (e.g. Section 4 Other Issues in the Report). Capral does not consider that Press Metal has demonstrated that the Commission’s PRR is not the



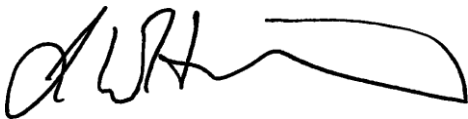
correct or preferable decision and that the matters addressed in this further submission do not detract from the preliminary findings and proposed recommendations in the PRR.

Capral urges the Commission to disregard the Press Metal assertions in this latest submission as they do not provide grounds that would support a change in or alteration to, the preliminary findings contained in the PRR.

Capral reiterates its request that the Commissioner recommend to the ADRP that the measures on exports from Malaysia and Vietnam not be allowed to expire.

If you have any questions concerning this submission 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



Luke Hawkins  
General Manager – Supply and Industrial Solutions

