



ANTI-DUMPING NOTICE NO 2025/006

Customs Act 1901 – Part XVB

Aluminium Extrusions

Exported to Australia from

The People’s Republic of China

Application of sampling provisions for Continuation Inquiry 657

Section 269TACAA of the Customs Act 1901 – Part XVB

On 8 November 2024, I, Isolde Lueckenhausen, the Acting Commissioner¹ of the Anti-Dumping Commission (**Commissioner**), initiated an inquiry (**CON 657**) into whether to continue anti-dumping measures applying to aluminium extrusions (**the goods**) exported to Australia from the People’s Republic of China (**China**).

Anti-dumping Notice No 2024/085 (**the initiation notice**) provides the particulars on the initiation of CON 657 and is available on the commission’s website.²

1. Background

Section 269TACAA(1) of the *Customs Act 1901* (Cth)³ states that where the number of exporters from a particular country of export in relation to an investigation, review or inquiry is so large that it is not practicable to examine the exports of all of those exporters, then the investigation, review or inquiry may be carried out, and findings may be made, on the basis of information obtained from an examination of a selected number of those exporters who:

- constitute a statistically valid sample of those exporters or
- are responsible for the largest volume of exports to Australia that can reasonably be examined.

Section 269TACAA(2) states if information is submitted by an exporter that is not named as a selected exporter, the investigation, review or inquiry must extend to that exporter unless to do so would prevent the timely completion of the investigation, review or inquiry.

¹ References in this document to individuals holding positions within the Anti-Dumping Commission (**commission**) are references to whoever occupies the position at the time. This includes when the position is held in an acting capacity.

² www.adcommission.gov.au

³ All references to legislation are to the *Customs Act 1901* unless stated otherwise.

In initiating CON 657, I noted there are many suppliers of the goods from China listed in the Australian Border Force (**ABF**) database during the inquiry period. Given the large number of exporters, it is not practicable to examine the exports of all Chinese exporters of the goods.

In the initiation notice I stated I would carry out the inquiry based on information obtained from an examination of a selected number of exporters who are responsible for the largest volume of exports to Australia that can reasonably be examined. All exporters from China were encouraged to participate in the inquiry process.

I stated that I intended to select the following exporters for examination:

- Goomax Metal Co Ltd Fujian (**Goomax**)
- Guangdong Jinxi Cheng Al Manufacturing Co Ltd (**Jinxi Cheng**)
- Guangdong Xingfa Aluminium Co Ltd (**Xingfa**)

According to the ABF database, the selected exporters represent more than 68% of the volume of the goods (measured by quantity reported in kilograms) exported to Australia from China during the inquiry period subject to current anti-dumping measures.

For those exporters of the goods from China, other than the selected exporters named above, the commission requested they provide a basic level of information, via an information request and associated spreadsheets.

The initiation notice stated that by completing the information request, exporters of the goods (other than selected exporters) will be regarded as 'residual exporters' for the purposes of this inquiry if their exports are not examined as part of the inquiry and they are not an uncooperative exporter or non-cooperative entity in relation to the inquiry.

The initiation notice further stated that in making its assessment in relation to the variable factors for residual exporters, the commission will not calculate:

- export prices that are less than the weighted average of export prices for cooperative exporters and
- normal values that exceed the weighted average of normal values for cooperative exporters.

The commission will determine subsidy margins for the residual exporters having regard to countervailable subsidies received by the selected exporters.

2. Exporter questionnaire responses

The commission received completed questionnaire responses from each of the selected exporters and Press Metal International Ltd (**PMI**) within the required timeframe⁴.

The commission also received responses to the information request from:

- Antai Technology Co., Ltd
- Fenan Aluminium Co., Ltd
- Foshan City Nanhai Yongfeng Aluminium Co., Ltd

⁴ The commission granted Jinxi Cheng and PMI an extension to submit a response to the exporter questionnaire.

- Foshan JMA Aluminium Co., Ltd
- Foshan Sanshui Fenglu Aluminium Company Limited
- Foshan Sanshui Yongya Aluminum Produce Co., Ltd
- Foshan Yatai PVC & Alu Co., Ltd
- Fujian Minfa Aluminium Inc.
- Guangdong Golden Aluminium Co., Ltd
- Guangdong Haomei New Materials Co., Ltd
- Guangdong Huachang Group Co., Ltd
- Guangdong JMA Aluminium Profile Factory (Group) Co., Ltd
- Guangdong Weiye Aluminium Factory Group Co., Ltd
- Guangdong Xingqiu Aluminum Co., Ltd
- Guang Ya Aluminium Industries Co., Ltd
- Hao Mei Aluminium Products Company Limited
- Jiangmen COSCO SHIPPING Aluminium Co., Ltd
- Luoxiang Aluminium Co., Ltd
- PanAsia Enterprises (Nanyang) Company Limited
- Qingyuan XinYueYa Aluminium Industry Co., Ltd
- Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd
- Zhengzhou Mingtai Transportation New Material Co., Ltd

3. Application of sampling provisions

In considering whether to extend CON 657 beyond the selected exporters to include PMI, who also provided information in the form of a completed selected exporter questionnaire, I have considered:

- the timeframe in which the case must be completed
- the resources needed to complete the case within the necessary timeframe
- the suitable level of verification required for each case.

After considering each of the above, I have decided that to extend CON 657 to include further exporters **would not** prevent the timely completion of the matter.

In making this decision I have considered:

- that the anti-dumping measures are due to expire on 28 October 2025
- the commission's available resources and the resources necessary to complete this case
- the availability of alternative methods of verification, other than in-country verification, noting that the commission recently verified many of the selected exporters in 2023.

4. Selected exporters

I intend to select the following exporters for examination (selected exporters):

- Goomax
- Jinxiecheng
- PMI
- Xingfa

The Commissioner may reconsider the selected exporters in this investigation, subject to the extent of cooperation from the selected exporters named above.

5. Residual exporters

The following exporters are residual exporters:

- Antai Technology Co., Ltd
- Fenan Aluminium Co., Ltd
- Foshan City Nanhai Yongfeng Aluminium Co., Ltd
- Foshan JMA Aluminium Co., Ltd
- Foshan Sanshui Fenglu Aluminium Company Limited
- Foshan Sanshui Yongya Aluminum Produce Co., Ltd
- Foshan Yatai PVC & Alu Co., Ltd
- Fujian Minfa Aluminium Inc.
- Guangdong Golden Aluminium Co., Ltd
- Guangdong Haomei New Materials Co., Ltd
- Guangdong Huachang Group Co., Ltd
- Guangdong JMA Aluminium Profile Factory (Group) Co., Ltd
- Guangdong Weiye Aluminium Factory Group Co., Ltd
- Guangdong Xingqiu Aluminum Co., Ltd
- Guang Ya Aluminium Industries Co., Ltd
- Luoxiang Aluminium Co., Ltd
- PanAsia Enterprises (Nanyang) Company Limited
- Qingyuan XinYueYa Aluminium Industry Co., Ltd
- Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd

6. Uncooperative exporters and non-cooperative entities

Where an exporter or entity did not give me information I considered to be relevant to CON 657 within a period I considered to be reasonable, or I am satisfied that the exporter or entity significantly impeded the case:

- section 269T(1) provides that, in relation to a dumping duty notice, such an exporter is an 'uncooperative exporter'
- section 269TAACA(1) provides that, in determining whether a countervailable subsidy has been received in respect of particular goods, I may act on the basis of all the facts available and may make such assumptions as I find reasonable. Such an entity is a 'non-cooperative entity'.

The *Customs (Extensions of Time and Non-cooperation) Direction 2015 (the Customs Direction)* states respectively at sections 8 and 9 that I must determine an exporter to be an uncooperative exporter, or an entity to be a non-cooperative entity, on the basis that no relevant information was provided in a reasonable period, if that exporter or entity:

- fails to provide a response, or
- fails to request a longer period to provide a response within the legislated period.

After having regard to sections 269T(1) and 269TAACA(1) as well as the Customs Direction, I have determined that all exporters and entities from China that did not provide information requested of them through a selected exporter questionnaire or a residual exporter questionnaire are uncooperative exporters and non-cooperative entities for the purposes of CON 657. This includes Zhengzhou Mingtai Transportation New Material Co., Ltd whom I have determined to be an uncooperative exporter on the basis that, while it provided a

response to the information request, it did not provide a response within the legislated period, being before the due date of 15 December 2024, and it made no request for a longer period to provide its response.

7. Other entities that are not exporters of the goods

Based on the information before me, I consider that the following entities are not exporters of the goods, but are intermediaries involved in the export of the goods, or are entities that export products that are not the goods:

- Hao Mei Aluminium Products Company Limited
- Jiangmen COSCO SHIPPING Aluminium Co., Ltd

The commission will continue to assess exporter status throughout CON 657.

8. Commission contact

Enquiries about this notice may be directed via email to investigations@adcommission.gov.au.

Isolde Lueckenhausen
Acting Commissioner
Anti-Dumping Commission

10 January 2025