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Anti-Dumping Commission
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Public File

Investigation No. 691 concerning Aluminium Windows and Doors from China

Dear Director,

1. Introduction

This submission is made jointly by the Australian Glass and Window Association (**AGWA**) and Ventora Group Pty Ltd (**Ventora**) (**the applicants**) in Investigation 691 (**INV 691**) concerning aluminium windows and doors (**AWDs**) exported to Australia from the People's Republic of China (**China**).

The applicants make this submission in response to the recent publication on the public record of the following:

- Exporter verification report for Guangdong Yuanjiang Facade Co., Ltd;
- Exporter verification report for Foshan AMJ Windows and Doors Co., Ltd;
- Exporter verification report for Guangdong Kete Facadetech Co., Ltd;
- Exporter verification report for Broad Windows and Doors and Curtain Wall System Co., Ltd;
- Comparative analysis report for Altop Façade Co., Ltd;
- Comparative analysis report for Zhuhai Yipeng Technology Co Ltd; and
- End user questionnaire for the Hickory Group.

The applicants have reviewed each of the above and make the below comments. The applicants also comment on highly relevant and contemporary United Kingdon trade precedent. Where applicable, the applicants will also make further submissions once the Statement of Essential Facts (**SEF**) is published.

2. Guangdong Yuanjiang Facade Co., Ltd

The applicants note the Anti-Dumping Commission's (**the Commission**) preliminary finding of a subsidy margin of 0.0 percent for Yuanjiang,[1] and respectfully seek clarification of the basis of this finding in the SEF.

[1] Yuanjiang verification report, chapter 2 (Key outcomes).

Table 3 of the verification report details the verified benefits to Yuanjiang under a number of programs, including stable employment grants, 2022 reward funds for small and micro industrial enterprises achieving scale, the additional 5% VAT deduction policy for hi-tech manufacturers (recorded against multiple periods), an additional research and development deduction for hi-tech manufacturers, and preferential income tax for high-technology enterprises.

The Commission further records, at Exception 8, that additional subsidies were located within Yuanjiang's non-operating income ledger during verification that had not been disclosed in the questionnaire response.[2]

The applicants note that each program in Table 3 is attributed to the "whole company" and allocated on a "value" basis. The verification report also records that Yuanjiang's production lines are shared with non-goods products, including curtain wall and windows and doors that exceed the dimensional scope of the goods.[3] Given what is now obvious to the applicants as the self-selection by many exporters and importers that window walls are out of scope, it is difficult to reconcile any material allocation to out-of-scope products outside of window wall. In practical terms, very few, if any, windows or doors produced by an export-oriented manufacturer would fall outside the dimensional parameters of this inquiry, particularly given the physical constraints imposed by containerisation and international shipping.

This is further reinforced by the prevalence of partial assembly and knock-down shipment methods, which enable larger products to be transported in sections and assembled on site while remaining within standard shipping dimensions. As a result, the volume of production legitimately attributable to out-of-scope products is expected to be limited, and the basis for significant inside/outside scope allocations warrants careful scrutiny.

The applicants submit that a whole-of-company allocation across all such products may dilute the benefit attributable to the goods. The applicants respectfully request the Commission to confirm in the SEF: (a) the benefit amount found for each program; (b) the denominator used in each allocation; and (c) whether a goods-specific or export-specific attribution was considered for any entity-level taxation measure.

The applicants further note that program 92 in the Commission's list of investigated programs (the pass-through of subsidies from the purchase of aluminium extrusions) is of particular relevance to aluminium-intensive goods such as these.[4] The applicants request that the SEF set out how the Commission has treated any upstream extrusion-subsidy pass-through in respect of Yuanjiang.

3. Foshan AMJ Windows and Doors Co., Ltd

The applicants note the Commission's preliminary findings for Foshan AMJ as:

- an export price under s269TAB(1)(a);
- a normal value marked for determination under s269TAC(2)(c);
- a subsidy margin of 0.0 per cent; and

[2] Ibid, section 3.4 (Table 3) and section 4.2.2 (Exception 8).
[3] Ibid, section 3.4 (Table 3) and section 4.4.1.
[4] Exporter questionnaire, ADN 2025/115, Section I (Countervailing), investigated program 92.

- a finding that both the sales and cost data are complete, relevant and accurate only after material revisions.[5]

The Commission's subsidy finding for Foshan AMJ records a benefit under a single tax program (an individual income-tax handling-fee refund for 2024) attributed to the whole company on a value basis, which has returned a subsidy margin of 0.0 per cent.[6]

The applicants respectfully request that the SEF confirm which of the programs in the Commission's program list were tested in respect of Foshan AMJ, and in particular how any upstream aluminium-extrusion subsidy pass-through (program 92) has been treated, consistent with the request made above in respect of Yuanjiang.

As with Yuanjiang, the Commission has flagged the normal value for determination under s269TAC(2)(c) pending its decision on the particular market situation (**PMS**) and competitive-market-cost claims. The applicants note, however, that the report contains an independent basis for a constructed normal value: the Commission finds that Foshan AMJ's domestic like-goods sales in the ordinary course of trade in arm's-length transactions were less than 5 percent of its Australian export sales volume, that this volume is too low to set a normal value that properly compares to the export price under s269TAC(1), and that Foshan AMJ did not sell many of the same models into both markets.[7]

On that finding, a normal value cannot be set on domestic selling prices and a constructed normal value under s269TAC(2)(c) is required irrespective of the PMS.

As Foshan AMJ's constructed normal value depends on verified cost to make and sell, the applicants note that the material revisions recorded in the verification report are critical considerations. In particular, the Commission reclassified selling, general and administrative (**SG&A**) expenses that the exporter had excluded or mischaracterised. All were corrected by the Commission.[8]

The applicants also note two related-party features of Foshan AMJ's structure relevant to the reliability of its costs and export price:

a. the Commission identified a related supplier of customised hardware, and a related-party raw-material purchase on CIF terms from which importation costs had been omitted and were added by the Commission on verification (Material Revision 8).[9]

b. Foshan AMJ's related domestic customer, Shenzhen AMJ Technology Co., Ltd, purchases the goods from Foshan AMJ and exports most of them to the Australian customer, such that the exported goods pass through a related trader before sale to the Australian importer.[10]

The applicants request that the SEF confirm that the export price has been established by reference to the price paid by the Australian importer to the first unrelated party in the chain, that any margin or expense

[5] Foshan AMJ verification report, chapter 2 (Key outcomes) and section 4.2.
[6] Ibid, section 3.4 (Table 3) and chapter 2 (subsidy margin of 0.0 per cent).
[7] Ibid, section 3.3.6.
[8] Ibid, section 4.2.2, Material Revisions 5 to 7.
[9] Ibid, section 4.4.3.1 and section 4.2.2, and Material Revision 8.
[10] Ibid, section 4.4.3.2 and section 4.2.1, Material Revision 1.

retained by the related trader is appropriately considered, and that the related-party hardware and raw-material inputs reflect competitive market costs.

The applicants also note that the Commission's preliminary profit for the constructed normal value has been calculated on the profit achieved on domestic sales of like goods in the ordinary course of trade, drawn from a domestic sales base the Commission has found to be of low volume, and that Foshan AMJ's accounts were audited under the Accounting Standards for Small Business Enterprises.[11] The applicants reserve their position on whether, if the PMS claim is accepted, that amount of profit should instead be determined on a basis unaffected by distorted input costs.

4. Altop Façade Co., Ltd

The Commission has not conducted an onsite or virtual verification of Altop Façade, and has instead assessed the exporter on its questionnaire response, the responses of other cooperating exporters and other relevant information.[12]

The applicants submit that findings resting on an unverified response are inherently less robust than those tested at verification, and reserve all rights to make further submissions on Altop Façade once the SEF and any public file attachments are available.

The applicants note in particular that Altop Façade exported the goods to a related Australian entity, Altop Australia, and that the Commission has treated those related-party sales as arm's length based on a comparison of pricing and profitability with unrelated-customer sales.[13] As that comparison relies on unverified questionnaire data, the applicants respectfully request that the Commission test (at verification or through the SEF) whether the related-party export sales to Altop Australia were in fact at arm's length before those transactions are relied upon to establish the export price under s269TAB(1)(a).

On subsidies, the Commission identified a corporate income-tax benefit on assessment of Altop Façade's 2024 tax statements, which it added to reported taxable income and quantified as a grant.[14] The applicants welcome the identification of this benefit and, consistent with their request in respect of Yuanjiang, request that the SEF confirm the benefit amount, the allocation denominator, and whether any upstream aluminium-extrusion subsidy pass-through has been considered in respect of Altop Façade.

The applicants further note the Commission's record that it will further consider Altop Façade's submissions on the scope of the goods under consideration, and that Altop Façade reported, and the Commission removed, sales of windows and doors exceeding the 3.0 metre height limit.[15]

The applicants have separately opposed the scope-exclusion requests filed in this investigation, including Altop Façade's request concerning window wall and integrated punch windows, and maintain that window wall is within the scope of the goods and is not captured by the curtain wall products exclusion. The applicants rely on and repeat those submissions, and address the scope of the goods as it bears on the Hickory response at heading 9 below.

[11] Ibid, section 3.3.8 and section 3.3.3.
[12] Altop Façade comparative analysis report, p.1 and section 1.1.
[13] Ibid, section 1.2.3.
[14] Ibid, section 1.1.1 (Material Revision 2) and section 1.4.
[15] Ibid, section 1.3.1.4 and note 4. Section 1.1.1 (Material Revision 1).

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5. Zhuhai Yipeng Technology Co., Ltd

As with Altop Façade, the Commission determined not to verify Zhuhai Yipeng and assessed the exporter on its questionnaire response and other relevant information, indicating that normal values and subsidy margins are to be determined.[16] The applicants make the same reservation as to the robustness of unverified findings.

The applicants note that the Commission's comparative analysis records a substantial number of corrections to Zhuhai Yipeng's reported data, including:

- the exclusion of transactions that were not the goods under consideration;
- the correction of ocean-freight expense recorded as zero owing to a worksheet formula error;
- the reclassification of insurance premiums;
- the removal of value-added tax and of out-of-period domestic sales to place domestic and export values on an equivalent basis;
- the absence of units of measurement in the raw-material purchase listing; and
- the removal of double-counted testing, installation and new-die costs from the net invoice value.[17]

The applicants submit that the number and nature of these corrections underscores the cautions need with which to consider the exporters data and representations. This includes raw-material purchase data relevant to the competitive-cost assessment of aluminium extrusions and glass.

The applicants further note that Zhuhai Yipeng manages its sales and costs on a project basis and that the Commission conducted its dumping-margin analysis on that basis.[18] Project-basis, made-to-order sales of the kind described raise questions of model comparability between the domestic and export markets and of the consistent treatment of installation, testing and die costs, which are non-goods service and tooling elements. The applicants request that the SEF confirm that such non-goods elements have been excluded consistently from both the export price and the normal value, and that domestic and export models have been matched on a like-for-like basis, to ensure fair comparison.

6. Guangdong Kete Facadetech Co., Ltd

The applicants note the Commission's preliminary findings for Guangdong Kete as:

- an export price determined under s269TAB(1)(a) for unrelated-customer sales and, for sales to its wholly-owned Australian trading entity Kete Australia, under s269TAB(1)(b);
- a normal value marked for determination under s269TAC(2)(c);
- a subsidy margin of 0.8 per cent; and
- sales, cost and subsidy data accepted as complete, relevant and accurate only after material revisions.[19]

[16] Zhuhai Yipeng comparative analysis report, p.1 (Commission determined no onsite or virtual verification) and §1.1.
[17] Ibid, section 1.1.1 (Material Revisions 1 to 6).
[18] Ibid, section 1.1.1 (Material Revision 6) and section 1.2.
[19] Guangdong Kete verification report, chapter 2.

The applicants affirm the Commission's finding that the sales from Guangdong Kete to Kete Australia were not at arm's length, and the consequent construction of the export price under s269TAB(1)(b) from Kete Australia's resale prices to unrelated customers, less deductions.[20] The applicants respectfully invite the Commission to apply the same scrutiny to the related-trader arrangements of other exporters in this investigation, including the related trader identified in respect of Foshan AMJ above.

The applicants attach particular significance to the Commission's finding that Guangdong Kete's production records may not reasonably reflect competitive market costs for one or more cost components, and to its finding that Guangdong Kete purchased both aluminium extrusion and glass from related suppliers whose relationship may have influenced the price of those purchases.[21]

The applicants submit that this finding materially supports the competitive-cost question at the centre of this investigation. The applicants further submit that the Commission's observation elsewhere in the report that related-party extrusions represented only a small share of purchases and that related-party glass was priced comparably to unrelated domestic suppliers[22] does not answer the competitive-cost question. Instead, comparability to other domestic suppliers establishes only that the related price is consistent with the prevailing domestic market, which the applicants say is itself distorted under the PMS. Consistency with a distorted market is not evidence of a competitive market cost, and the appropriate test remains substitution against an undistorted benchmark.

On normal value, the applicants note that the Commission did not use the model control code structure and instead relied on verified project data, using a single domestic project ("GM") as the surrogate normal value for all of Guangdong Kete's export projects, on the basis that it was the only domestic project sold in the ordinary course of trade in sufficient volume.[23]

The applicants observe that this constitutes a low-volume domestic sales outcome: a single qualifying domestic project standing as the surrogate for approximately twenty diverse export projects. The applicants reserve their position on this and submit that if input costs are found not to reflect competitive market costs, both the surrogate normal value and the specification adjustments must be recalculated on benchmarked costs.

On subsidies, the applicants note the preliminary margin of 0.8 per cent and the extensive list of grant and tax programs, and make the following observations:[24]

- the program described as the "Provincial Stable Foreign Trade Funds — Enterprise Order Grabbing Subsidy" is attributed to export sales and is, on its face, contingent upon export performance and therefore *prima facie* specific and countervailable. The applicants request that the SEF confirm its treatment; and

- consistent with their requests for other exporters, the applicants request that the SEF confirm how any upstream aluminium-extrusion subsidy pass-through has been treated, which is of heightened relevance for Guangdong Kete given its related-party extrusion purchases.

[20] Ibid, section 3.2 and section 3.2.3.2.
[21] Ibid, section 3.3.4 and section 3.3.4.2.
[22] Ibid, section 4.4.2.1.
[23] Ibid, section 3.3.5.1 (Table 3) and section 4.3.1.
[24] Ibid, section 3.4 (Table 5), and subsidy margin of 0.8 per cent at chapter 2.

The applicants further note and welcome the upward cost and expense corrections made on verification.[25]

7. Broad Windows and Doors and Curtain Wall System Co., Ltd

The applicants note that the Commission's findings for Broad were as follows:

- unable to set an export price;
- unable to set a normal value; and
- determined that Broad's sales and cost data are not reliable.[26]

The Commission found that Broad did not provide sufficient data, in its questionnaire response or at verification, to be satisfied that its sales and cost information was complete, relevant and accurate.

Broad sold to Australia through two related Hong Kong trading companies, Broad Windows & Facade Limited and Broad Facade International Limited, and the Commission found those related-trader sales were not at arm's length, prices being governed by common shareholding and an internal pricing guide.[27]

Broad reported the net invoice value from the related trader to the Australian customer rather than the price at which Broad sold to its related trader, asserted that the difference was a fixed margin, and the Commission's analysis found the margin in fact varied.

The Commission was unable to verify the reported quantities, found non-goods (glass-fibre reinforced concrete) included in a sampled invoice without segregation, and could not verify Broad's cost-to-make allocation.

The applicants further note that Broad made no domestic sales of like goods, so that a normal value cannot be based on Broad's domestic prices.[28] Hence neither the export price nor the normal value for Broad can be determined from Broad's own information.

The applicants submit that the Commission should determine Broad's export price, normal value and variable factors on the basis of the facts available, and should apply a dumping margin (and, as appropriate, a subsidy margin) that reflects Broad's failure to substantiate its data and does not advantage it relative to the exporters that cooperated and were verified.

The applicants also note that Broad's financial accounts for the investigation period were not independently audited.[29]

Regarding subsidies, the Commission located undisclosed subsidies in the exporter's non-operating income ledger that had not been reported in its grants listing, and subsequently corrected SG&A accounts.

8. Particular market situation and competitive market costs

[25] Ibid, section 4.2.2, Material Revisions 10, 11 and 13.
[26] Broad verification report, chapter 2.
[27] Ibid, section 3.2.3.2.
[28] Ibid, section 3.3.1 and section 3.3.4.
[29] Ibid, section 3.3.3.

Across each of the cooperating exporters addressed above, the Commission has adopted a common narrative on normal values: it has not yet decided the claim that a Chinese PMS exists such that domestic like-goods sales are unsuitable under s269TAC(2)(a)(ii).

The Commission is also yet to decide on the related claim that the cost of principal raw material inputs (aluminium extrusions and flat glass) do not reasonably reflect competitive market costs. Throughout its assessments, the Commission notes that it has collected benchmark information on aluminium extrusions and glass prices and will assess those claims in the SEF.

On these, the applicants maintain the existence of a PMS in the Chinese market for AWDs, and on the uncompetitive cost of the two principal inputs to the goods, aluminium extrusions and flat glass.[30]

On the evidence before the Commission, the applicants submit that the record supports the existence of a PMS in the Chinese market for AWDs, and that the cost of aluminium extrusion and flat glass recorded in the exporters' own records does not reasonably reflect competitive market costs.

The applicants submit that the distortions affecting aluminium and glass are established on the record before the Commission, including by the benchmark information the Commission has collected, and that the end-user evidence discussed below – that Chinese-sourced product is persistently cheaper by reason of co-located, Chinese-produced raw materials – is consistent with, and corroborative of, those distortions.

The applicants further note that the Commission has now made preliminary findings in respect of the verified exporters Guangdong Kete and Broad that their production records may not reasonably reflect competitive market costs for one or more cost components. And moreover, in the case of Guangdong Kete, that aluminium extrusions and glass were purchased from related suppliers on terms that may not be competitive, further corroborating the applicants' position.

The consequence emphasised is that, in constructing the normal values for each cooperating exporter under s269TAC(2)(c), the distorted costs of aluminium extrusions and flat glass are to be substituted with appropriate competitive benchmarks and that the amount of profit is to be determined consistently with that substitution.

As noted above in respect of Foshan AMJ, a constructed normal value is required in any event where domestic sales are of insufficient volume, so the competitive-cost treatment of these inputs is applied regardless of the PMS finding.

Recent comparable precedent — United Kingdom glass containers (AD0087)

The applicants draw the Commission's attention to a very recent and directly applicable decision of a comparable investigating authority. In its Provisional Affirmative Determination in dumping investigation AD0087, published this month, the United Kingdom Trade Remedies Authority (**the TRA**) determined that a PMS exists in the China in respect of glass containers, and constructed the normal value using out-of-

[30] Nothwithstanding, the applicants' position, as articulated firstly in its application for measures, is that all Chinese raw material inputs into AWD manufacture are likely subsidised.

country benchmarks in place of the distorted Chinese input costs.[31] The determination post-dates, and closely tracks, the questions now before the Commission in the AWD inquiry.

The TRA found that pervasive state support, central industrial planning, and state ownership and control distort prices across the Chinese domestic market, and that the prices of energy, raw materials, land, labour and bank loans reflect non-commercial factors rather than free-market forces.[32] It concluded that a PMS exists in China and that this situation prevents a proper comparison between domestic like-goods prices and export prices, as the same distorted inputs affect the domestic and the export goods equally.

Significantly for the AWD inquiry, the TRA concluded consistent with its own earlier findings of a PMS in a series of Chinese cases, including its anti-dumping investigation into aluminium extrusions from China (AD0012), in which it found that energy prices reflected non-commercial factors.[33] The two principal inputs to the goods in this investigation, aluminium extrusions and flat glass, are therefore each the subject of recent findings of Chinese input-market distortion by a comparable authority.

Having found the PMS, the TRA did not rely on Chinese domestic selling prices. It constructed normal values from costs of production plus administrative, selling and general costs and profit, and then replaced those input costs it found to reflect non-commercial factors with benchmark values drawn from an appropriate representative third country (Brazil) and, where third-country producer data was unavailable, from independent secondary sources.[34]

Adjustments were made to energy, raw materials and finance costs where the Chinese costs were shown to be artificially low against the benchmark. The distortions were substantial. For example, the benchmark natural-gas and electricity prices were of the order of double the corresponding Chinese prices, and the benchmark cost of finance (around 21 percent) was multiple of the Chinese average. The result was preliminary dumping margins of approximately 24.65 to 26.87 percent for the sampled exporters, and a residual margin of 52.97 percent.[35]

The applicants submit that AD0087 is highly persuasive comparative practice and provides probative material on the record as to the distortions in issue for AWDs. It confirms that a comparable authority, applying the same underlying concepts, has found that Chinese input markets (including energy, raw materials, and, in AD0012, aluminium extrusions) are distorted by non-commercial factors, and it demonstrates a workable methodology for giving effect to that finding: constructing the normal value under the equivalent of section 269TAC(2)(c) and substituting the distorted input costs with competitive benchmarks. The applicants submit that the Commission should adopt the same approach in respect of aluminium extrusions and flat glass in this investigation.

[31] Non-Confidential Attachment 1: United Kingdom Trade Remedies Authority, Provisional Affirmative Determination and Recommendation of Guarantee, dumping investigation AD0087 – certain glass containers imported into the United Kingdom from the People's Republic of China (September 2026). The period of investigation was 1 January to 31 December 2025.
[32] Ibid, section G2.1.2.8 and section G2.1.3.
[33] Ibid, section G2.1.1, referring to the TRA's earlier findings in AD0012 (aluminium extrusions from the PRC), AD0021, AD0047, AD0058 and AD0062.
[34] Ibid, section G2.2 and section G2.3 (PMS adjustments; Brazil as the representative third country; energy, raw materials and finance costs adjusted under regulation 13).
[35] Ibid, section G2.3.1–G2.3.3 (benchmark energy, raw-material and finance costs against Chinese averages) and Table 1.

The applicants welcome findings to this effect in the SEF, and reserve their position to make further submissions on the appropriate benchmark sources and methodology once the Commission's approach is known.

9. Hickory Group end-user questionnaire

The applicants note the end-user questionnaire response of the Hickory Group (**Hickory**), a builder of multi-storey residential, commercial and data-centre projects. Hickory opposes the imposition of measures and, critically, requests the clear and consistent application of the curtain wall products exclusion, so that façade systems (including window wall) are not captured within scope".[36]

The applicants maintain that window wall is within the scope of the goods under consideration and is not captured by the curtain wall products exclusion. The goods description excludes curtain wall products only; window wall is a distinct façade system and is not a curtain wall product. The applicants have made submissions to that effect elsewhere in this investigation. Hickory's response proceeds throughout on the contrary premise that window wall is outside scope.

That premise has a direct and material consequence for any assessment of Hickory's data. Hickory states that it purchases the in-scope goods *…predominantly from Australian…* sources and that its *…direct imports of the in-scope goods are negligible…*, while separately recording that, through Hickory Facades Pty Ltd, it directly imports curtain wall and window wall façade systems from China *…in a material amount each year.* It has excluded these figures from its in-scope purchase table based on its view that window wall is out of scope.[37]

If window wall is within scope (as the applicants categorically maintain) then Hickory is a direct importer of the goods from China, and its characterisation of itself as an overwhelmingly Australian-sourcing end user is inaccurate.

Any assessment of Hickory's purchasing that adopts Hickory's own exclusions would therefore understate Chinese imports of the goods, overstate Australian sourcing, and fail to cover the full range of the goods under consideration. The applicants therefore submit that Hickory's data cannot be relied upon as a representation of in-scope purchasing unless and until its excluded window-wall volumes and values are brought back into the in-scope figures.

The applicants further note that Hickory imports these façade systems from its own China-based factories, through Hickory Facades Pty Ltd, and maintains an embedded quality-assurance team at its Chinese manufacturing facility.[38] Hickory is therefore not a neutral end user but a related-party importer of Chinese-manufactured façade product with a direct commercial interest in keeping window wall outside the scope of the goods. Its opposition to measures and its request for an expansive reading of the exclusion should be weighed accordingly.

Finally, Hickory's questionnaire answers support, rather than undermine, the applicants' case. Hickory states that imported product carries a *…generally lower landed cost…* than Australian product, and attributes the competitiveness of its Chinese-sourced systems to the fact that the raw materials and

[36] Hickory Group end-user questionnaire, response to Q24. See also responses to Q5, Q10, Q11 and Q14.
[37] Ibid, responses to Q10 and Q11, and Q18.
[38] Ibid, responses to Q5, Q14 and Q18.

components are themselves produced in China, describing this as a *….genuine and legitimate cost and supply-chain advantage*.[39]

The applicants submit that the co-located, cheap-input advantage Hickory describes is a direct reflection of the very distortions in the Chinese markets for aluminium and glass on which the applicants argue. A lower landed cost driven by distorted upstream input prices is not a legitimate comparative advantage but the mechanism of the injury the sought-after measures are directed at. Hickory's admission of persistently lower Chinese landed prices is also consistent with the price undercutting and price suppression the applicants have evidenced during this inquiry.

10. Scope of the goods under consideration

The applicants take this opportunity to confirm their understanding of one aspect of the goods description, to assist the Commission and to avoid any ambiguity in the operation of the measures. The goods description extends to aluminium windows and doors "whether fully or partially assembled", and defines "partially assembled" to include a fabricated aluminium frame, panel or sash assembly that is supplied individually, or connected to other frame, panel or sash assemblies, where the combination does not yet form a complete window or door unit.[40]

The applicants proceed on the basis that this partially assembled language captures aluminium windows and doors that are imported into Australia in unassembled or partly assembled "kit" form – that is, as the constituent fabricated frames, panels and sashes of a window or door, imported together or separately for assembly in Australia. On the ordinary meaning of the goods description, such goods are partially assembled goods under consideration.

So that the position is affirmed and the measures operate as intended across the full range of the goods, the applicants respectfully request that the Commission confirm in the SEF that aluminium windows and doors imported in unassembled or partly assembled kit form fall within the goods under consideration as "partially assembled" goods. The applicants consider this confirmation to be consistent with the goods description as published, and would welcome its restatement in the SEF.

For and on behalf of the Australian Industry Applicants

[39] Ibid, responses to Q13 and Q14.
[40] ADN 2025/115.