Austube Mills Pty Ltd
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AustubeMills
SHAPING POSSIBILITIES

14th September 2026

The Director
Investigations 3
Anti-Dumping Commission

BY EMAIL: investigations3@adcommission.gov.au

Dear Director,

Continuation Inquiry No. 710 concerning certain hollow structural sections from China, Korea, Malaysia and Taiwan

Response to GP Marketing International Pty Ltd regarding hot dipped galvanised pipe

Austube Mills Pty Ltd (**ATM**) is an Australian producer of hollow structural sections (**HSS**) and an interested party in *Continuation Inquiry 710* (**CON 710**).

ATM responds to the submission of GP Marketing International Pty Ltd (**GP Marketing**) seeking separate treatment for hot dipped galvanised (**HDG**) pipe. GP Marketing has not established a compelling basis to depart from the Commission's existing findings.

The Commission's established findings

The appropriate starting point is the Commission's prior consideration of the same or materially equivalent proposition. Commercial preference for a particular imported finish is not a substitute for evidence meeting the statutory and factual tests applied by the Commission.

Exemption Inquiry EX 0093

In *Exemption Inquiry No. 93* (**EX 0093**), the Commission considered HSS with *...an air-blown hot-dipped galvanised finish...* and *...a zinc coating mass of 200–300g/m²...* . In that case, the Commission recommended that:

> *The commission considers that like or directly competitive goods to the exemption goods are offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade. Accordingly, the conditions of sections 8(7)(a) and 10(8)(a) of the Dumping Duty Act for granting an exemption are not satisfied.*[1]

The Commission therefore recommended that the Minister *...not exempt the exemption goods from the duties...* because the available information and evidence did not provide a sufficient basis for the statutory exemption.[2]

[1] EX 0093, p. 15.
[2] *ADN 2023/041, Findings of Exemption Inquiry EX 0093, pp 15-16.*

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That finding is directly relevant. The Commission has previously considered the asserted significance of a HDG finish and did not accept that it justified exemption.

GP Marketing's submission does not identify any new evidence, a material change in market circumstances or an error in the earlier assessment that would warrant a different conclusion in CON 710.

Continuation Inquiry 590

The Commission should also give significant weight to its most recent assessment of the goods in *Continuation Inquiry 590* (**CON 590**). Final Report 590 (**REP 590**) records that the goods are:

> *...certain electric resistance welded pipe and tube made of carbon steel, comprising circular and non circular hollow sections in galvanised and non-galvanised finishes ... Finish types for the goods include inline galvanised (ILG), pre-galvanised, hot-dipped galvanised (HDG) and non-galvanised HSS.*[3]

and

> *The anti-dumping measures apply to the goods as described in the goods description and includes any subsets of the goods, unless otherwise exempted. Imports of circular HDGP are not exempted from measures and have therefore been considered by the commission in its assessment of the effect of HSS imports on Australian industry.*[4]

The above extracts expressly place HDG within the product range covered by the measures. A difference in galvanising method or finish does not, without clear evidence of a materially different competitive relationship, remove the goods from that range.

EX 0093 and CON 590 remain persuasive because they address the same product family, the same Australian market and the same essential question: whether the asserted product differences materially alter the competitive relationship between imported HDG pipe and Australian-produced HSS with a galvanised finish. No compelling reason has been advanced to depart from those findings.

HDG pipe remains within the like-goods framework

Subsection 269T(1) of the *Customs Act 1901* defines "like goods", in relation to goods under consideration, as goods identical in all respects or, in the absence of identical goods, goods that, although not alike in all respects, have characteristics closely resembling those of the goods under consideration. The statutory test does not require exact identity or perfect interchangeability for every customer specification.

GP Marketing's submission does not establish that HDG pipe has physical characteristics so different from Australian-produced galvanised HSS that it should be treated separately. Both are electric resistance welded carbon steel hollow sections. Both are supplied in comparable shapes and dimensions. Both have a zinc-based

[3] REP 590, section 3.3.1, pp 29.

[4] REP 590, section 3.3.4, p. 32.

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corrosion-resistant finish. The nominated coating mass is a product feature, not a change to the fundamental identity of the goods.

There is no evidentiary basis to conclude that the asserted finish differences produce materially different end uses. HDG pipe and other galvanised HSS perform the same essential structural and fluid conveying functions with corrosion resistance. A purchaser's specification or preference for a particular surface finish does not, of itself, establish a separate end-use market.

Nor does the submission establish an absence of interchangeability or competition. The relevant question is not whether every product is perfectly interchangeable for every individual specification. The correct question is whether the goods share closely resembling characteristics and compete in the market. Australian galvanised HSS is technically and commercially capable of serving the same broad applications, and it constrains imported HDG pipe through price, availability, dimensions, coating performance and customer choice.

Customer perception must be assessed by objective market evidence, not by the preferences of one importer or its customers. The Commission has already found in EX 0093 that like or directly competitive Australian goods are offered in the market. GP Marketing has not demonstrated that purchasers regard HDG pipe as a separate class of product, that it is sold through a distinct channel, or that it is insulated from competition with Australian-produced galvanised HSS.

The definition of "Australian industry" in subsection 269T(1), read with the statutory concept of like goods, directs attention to Australian producers of goods identical to, or closely resembling, the goods under consideration. Variations in coating method or finish do not exclude domestic production where the underlying goods retain closely resembling physical, functional and commercial characteristics.

Conclusions

- GP Marketing has failed to establish any basis for exemption or separate treatment of HDG pipe. The claimed distinctions do not alter the goods' fundamental physical characteristics, end uses, interchangeability, market competition or customer perception.
- The Commission's findings in EX 0093 and CON 590 remain the most relevant and persuasive guidance. The goods should continue to be treated consistently with those decisions.
- The Commission should reject GP Marketing's request.

For and on behalf of

Austube Mills Pty Ltd

A member of the Australian industry producing like goods