

15 January 2021

Mr Gavin Crooks
Assistant Director
Investigations 3
Anti-Dumping Commission
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Received 15 January 2021

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Public File

Dear Mr Crooks

Investigations No. 540 and 541 – Submission by Milleon Extruder Sdn Bhd of received on 5 January 2021

This submission by Capral Limited (“Capral”) addresses the recent submission by Milleon Extruder Sdn Bhd (“Milleon”) concerning the recent publication of Statement of Essential Facts No. 540 and 541 (“SEF 540 & 541”).

Milleon is challenging the Anti-Dumping Commission’s (“the Commission”) determination of normal value on the following grounds:

- *special product should be excluded from the normal value calculation as identical goods to the standard product exported to Australia are sold by Milleon in the domestic Malaysian market;*
- *if the special product were to be included in the normal value calculation for some reason, appropriate adjustment be made in the normal value calculation to take account of the higher price paid for the special product due to the additional production processes that they undertake, which enhance the quality of the special product according to the customers purchasing it in preference to standard product;*
- *additional adjustments must be made in the normal value to take account of:*
 - *The additional management costs incurred in domestic sales; and*
 - *The cost of powder coating according to thickness.*

Milleon’s claims for exclusion of what it refers to as “special” aluminium extrusions from normal value calculations were addressed in SEF 540 and 541 at Section 6.6.2. The referenced “special” product manufactured by Milleon are aluminium extrusions (i.e. like goods) and are correctly included within Milleon’s normal value assessment.

Milleon’s claim that an adjustment is required for the premium pricing of the special product was also addressed by the Commission. The Commission confirmed that the activities of Milleon associated with precision cutting “*were not documented in price lists, commercial invoices or otherwise*” nor was any information available to “establish the value attributed to it” (i.e. precision cutting).

The Commission was therefore correct on not accepting Milleon's claims in light of an absence of supporting information.

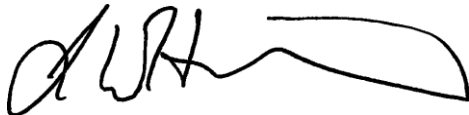
It should be noted that the Commission did in fact revise "*Milleon's normal value by applying a downwards adjustment to the domestic selling price of the relevant like goods specified in its submission*". This adjustment would appear to have been made on the basis of "*one document which was a price list*" for precision cutting charges. Capral contends that more than one price to support the claim should have been required.

The final claim for adjustment for additional management costs and powder coating thickness expenses are somewhat arbitrary and could only have been afforded if adequate supporting evidence was provided by Milleon. Capral anticipates that Milleon has not provided adequate information in this regard and the Commission's decision to not make an adjustment to normal value is correct.

We notes that Milleon provided three submissions to the Commission prior to the publication of SEF 540 and 541 concerning the exclusions of special sales from normal values and claims for adjustment to normal value. The repeated requests for the re-examination of Milleon's normal values cannot occur in the absence of relevant and reliable information.

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
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