



ANTI-DUMPING NOTICE NO. 2020/40

*Customs Act 1901
Customs (Preliminary Affirmative Determinations) Direction 2015*

**Aluminium micro-extrusions exported to Australia
from the People's Republic of China by**

**Guangdong Jiangsheng Aluminium Co Ltd and
Guangdong Zhongya Aluminium Co Ltd**

**Investigation No. 542 into alleged dumping
Day 60 Status Report**

Introduction

The purpose of this Status Report is to set out the reasons why I, Dale Seymour, Commissioner of the Anti-Dumping Commission (Commissioner) have not made a preliminary affirmative determination (PAD) under section 269TD(1) of the *Customs Act 1901* (the Act)¹ on **17 April 2020**, being 60 days after the initiation of the investigation into the alleged dumping of aluminium micro-extrusions (the goods) exported to Australia from the People's Republic of China (China) by Guangdong Jiangsheng Aluminium Co Ltd (Guangdong Jiangsheng) and Guangdong Zhongya Aluminium Co Ltd (Guangdong Zhongya).

This report and the findings contained herein reflect the status of the investigation at day 60. My findings may change as a result of further information, submissions, analysis or verification. Accordingly, I, at any time from day 60 onwards during the investigation, may make a PAD if I am satisfied of the requirements set out in section 269TD(1).

Background

On 17 February 2020, I initiated an investigation into the alleged dumping of the goods following an application by Aluminium Shapemakers Pty Ltd (AluShapes) under section 269TB. Further details can be found in the public notice published on 17 February 2020 (refer to Anti-Dumping Notice (ADN) No. 2020/13 at www.adcommission.gov.au).

Under section 269TD(1), I may make a PAD at any time, not earlier than 60 days after I initiate an investigation for the publication of a dumping duty or countervailing duty notice, if I am satisfied:

¹ All legislative references in this notice are to the Act, unless otherwise specified.

- that there appears to be sufficient grounds for the publication of such a notice, or
- that it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

In accordance with the *Customs (Preliminary Affirmative Determinations) Direction 2015* (the Direction), 60 days after the initiation of such an investigation I must either make a PAD or provide a Status Report outlining the reasons why I have not made a PAD.

Reasons for publishing a Status Report

In deciding whether to make a PAD on day 60 of this investigation, I have, in accordance with section 269TD(2), had regard to:

- AluShapes' application;
- submissions received by 25 March 2020 concerning publication of a dumping duty notice in response to the initiation of the investigation;
- an importer questionnaire response received from a cooperating importer; and
- any other matters that I considered relevant.

Due to the current global COVID-19 pandemic and the reduced availability of relevant staff, Guangdong Jiangsheng and Guangdong Zhongya requested, and were granted, additional time to provide a complete response to the exporter questionnaire.²

At the time of publication of this Status Report, the Anti-Dumping Commission (the Commission) is conducting its preliminary consideration of whether the goods exported to Australia were at dumped prices. The Commission is also examining AluShapes' claim that a particular market situation exists in the China domestic market for aluminium micro-extrusions. At the time of making this report, I am unable to establish that there appears to be sufficient grounds to establish that the goods exported to Australia have been dumped.

I note that the Commission is continuing to verify the Australian industry's information concerning its own production and sale of like goods, the operation of the market in Australia, and the relative influence of the goods exported by Guangdong Jiangsheng and Guangdong Zhongya on the economic condition of the Australian industry. At this point in time, I am unable to establish that there appears to be sufficient grounds to establish that dumped goods have caused material injury to the Australian industry producing like goods.

Based on the above, considered at day 60 of the investigation, I am not making a PAD because I am not satisfied that under section 269TD(1)(a) there appears to be sufficient grounds for the publication of a dumping duty notice.

Other considerations

Relevant matters – section 269TD(2)(b)

In accordance with the Direction, and for the purposes of section 269TD(2)(b), I have considered the desirability of providing relief to an injured Australian industry as quickly as possible, where warranted.

² A [file note](#) on the electronic public record for this investigation advised interested parties of the extensions of time granted to these exporters.

I have decided it is not warranted to make a PAD at this stage, because I am not satisfied that there appear to be sufficient grounds to establish that the goods are dumped or to establish a causal link between the dumped goods and any material injury, for the reasons outlined above.

Reconsideration of making a PAD – section 269TDAA

After publishing this report, I must reconsider whether to make a PAD at least once prior to the publication of the Statement of Essential Facts (SEF) required under section 269TDAA. The SEF is due to be published on 6 June 2020.³ Prior to the publication or in the SEF, I will advise whether I made a PAD subsequent to this report and the reasons for my decision.

Anti-Dumping Commission Contact

Enquiries about this report may be directed to the case manager on telephone number +61 3 9268 7969 or at investigations1@adcommission.gov.au.



Dale Seymour
Commissioner
Anti-Dumping Commission

17 April 2020

³ As this day is a Saturday, the effective due date for placing the SEF on the public record is the following business day, 8 June 2020.