

01st October 2021

Anti-Dumping Commission

GPO Box 2013

Canberra, ACT, 2601

PUBLIC RECORD

Attention: Case Team / Investigations 2

Re: Anti-Dumping Investigation No. 557 into Certain Copper Tube

Dear Case Team,

We are responding to the release of the Statement of Essential Facts (SEF) by the Anti-Dumping Commission (ADC) in relation to the investigation 557 into Certain Copper Tubes ("*The Goods*") on behalf of our client Airefrig Australia Pty Ltd (Airefrig).

Within the SEF the ADC has proposed at the completion of the investigation, that the investigation be terminated. Based on this finding, if the recommendations are accepted by the Minister, there will be no imposition of dumping and/or countervailing duties on Certain Copper Tubes imported from Korea.

It has always been Airefrig's position that the commencement of this investigation was due to the applicant trying to create a greater monopoly in relation to the supply of "*the goods*" to the Australian market.

Airefrig agree with the ADC in that the supply of "*the goods*" from Korea are not dumped and have not caused injury to the local industry.

It is noted that evidence can be supplied where the applicant has provided pricing that is greater than it supplies to its own distributors. This provides further evidence that the applicant is attempting to create a more dominant position in the market. Currently, as outlined, in the investigation the applicant has over 60% of the market for the supply of "*the goods*".

Airefrig, as an Australian company, has continued to push for local Australian industries to supply products and services to their business. This is further evidenced by the fact "*the goods*" were sourced from a local manufacturer prior to the closure of Crane Enfield. It is also fact that Airefrig has requested pricing intermittently from the applicant and at all times the pricing received has been uncompetitive and would price Airefrig out of the market.



As was correctly outlined by the ADC Airefrig and their supplier has not, at any stage, attempted to flood the market with dumped products nor have they looked to impose cheap product to increase market share at the cost of profitability.

The investigation, in its totality, has outlined that the applicant has not suffered any injury due to the current imports from Korea and as an extension to this the Australian market has seen an ongoing competitive process for the supply of the goods. This has allowed all parties in the supply chain to prosper from competitive forces within the industry whilst also being able to remain profitable, including the applicant.

Airefrig would like to thank the ADC for their time and indepth analysis to allow a result which will benefit all parties.

Should you require any further information please od not hesitate to contact me.

Thanks & Regards

A handwritten signature in black ink, appearing to read 'Brett Greedy', with a long horizontal flourish extending to the right.

Brett Greedy

Director of Operations.