



Customs Act 1901 – Part XV B

ANTI-DUMPING NOTICE NO 2021/144

Copper tube

**exported to Australia from the People’s Republic of China
and the Republic of Korea**

Termination of Investigation No 557

Public notice under section 269TDA(15) of the Customs Act 1901

On 13 July 2020, Mr Dale Seymour, the then Commissioner of the Anti-Dumping Commission (Commissioner),¹ initiated an investigation into the:

- alleged dumping and alleged subsidisation of copper tube (the goods) exported to Australia from the People’s Republic of China (China)
- alleged dumping of the goods exported to Australia from the Republic of Korea (ROK).

The investigation followed an application lodged under section 269TB(1) of the *Customs Act 1901* (Cth) (the Act) by Metal Manufacturers Pty Ltd trading as MM Kembla.

Public notice of the then Commissioner’s decision to initiate the investigation (Anti-Dumping Notice No. 2020/71 refers) was published on 13 July 2020 on the Anti-Dumping Commission (commission) website (www.adcommission.gov.au).

As a result of the commission’s investigation, I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, am satisfied that:

- there has been no dumping from China of any of the goods and therefore, terminate the investigation in accordance with section 269TDA(1)(b)(i) of the Act
- the total volume of goods that have been exported to Australia over a reasonable examination period from China that have been dumped is negligible and therefore, terminate the investigation in accordance with sections 269TDA(3) and (4) of the Act
- there has been a countervailable subsidy received in respect of some or all of the goods from China but it never, at any time during the investigation period, exceeded the negligible level of counteravailable subsidy under section 269TDA(16) of the Act and therefore, terminate the investigation in accordance with section 269TDA(2)(b)(ii) of the Act

¹ On 10 February 2021, the Minister for Industry, Science and Technology appointed Dr Bradley Armstrong as the new Commissioner of the Anti-Dumping Commission. Mr Dale Seymour finished his position as Commissioner on 18 February 2021.

- there has been dumping by Nungwon Metal Ind. Co., Ltd from the ROK of the goods but the dumping margin by that exporter is less than 2%, and therefore, terminate the investigation in accordance with section 269TDA(1)(b)(ii) of the Act, so far as it relates to that exporter
- there has been dumping by Daejin Copper Pipe & Tube Manufacturing Co., Ltd, residual exporters and uncooperative exporters of the goods from the ROK but the injury, if any, to the Australian industry, that has been caused by those exporters is negligible and therefore, terminate the investigation so far as it relates to those exporters in accordance with section 269TDA(13) of the Act.

In making the decision to terminate this investigation, I have had regard to the application, submissions from interested parties, *Statement of Essential Facts No 557* (SEF 557), submissions in response to SEF 557 and *Termination Report No 557*.

Termination Report No 557, which sets out my reasons for the termination decisions, including the material findings of fact or law upon which the decisions are based, has been placed on the commission's public record at: www.adcommission.gov.au

The applicant may request a review of this decision to terminate the investigation by lodging an application with the Anti-Dumping Review Panel in the approved form and manner within 30 days of the publication of this notice.

Enquiries about this notice may be directed to the case manager on telephone number (03) 8539 2440 or via email at: investigations2@adcommission.gov.au

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

12 November 2021