

**Opinion for further investigation procedure  
To antidumping investigation of copper tubes exported from THE  
REPUBLIC OF KOREA**

Received 2 November 2022

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To: Australian Antidumping Commission

From: Nungwon Metal IND(Manufacturer and exporter in Korea)

Antidumping commission(“ADC”) requested Nungwon Metal IND as Korean exporter of copper(“NWM”) provide copper tube standards for products sold to domestic market during the investigation period 24, October 2022.

As ADC’s request, NWM provide Korean standard of copper tubes(“KS”) for determining the products sold to domestic market during Investigation period. And NWM translated the heading title of each chapter and major tables to explain key specification of copper tubes, as outside diameter, thickness and tolerances.

As can be seen, KS set the chemical compositions, physical properties, dimensions, tolerance, and test methods of copper pipes. Especially Korean standard set the dimensions only for plumping purposed tubes. Although most of KS and Australian standards(“AS”) are similar, there are differences in some contents such as dimension. This difference is since the status of each country's industry is reflected in the standard, and it is a natural result.

The chemical composition and use of copper pipes do not differ between KS and AS, but the specific dimension between both standards differ slightly for each product.

## PUBLIC RECORD

However, these differences did not affect to compare the products, since the differences are fully considered to actual product's weight. The product's weight is decided by inherency characteristics of product as actual outside diameter, thickness and length. it means that the actual dimension is different, the weight is different, which in turn make differences in the cost and selling price. And the weight of product is used in global ordinary of business.

Nominal size or nominal OD is designated in both standards only for plumping purposed tubes (MCC standard category "P"), and it looks like an actual product dimension and can cause confusion. But nominal size is not actual dimension rather only used to identify the products and smoothly communicate in transaction.

NWM' cost and value are correct because all products produced by NWM are valuated on actual weight. And the products to export to Australia are valuated on actual weight as like the products sold to domestic market. After all the differences of standards are fully reflected to actual weight. Accordingly, there are no problems in comparison of products by applying different standards in antidumping investigation.

For example, even if you do not look at which Standards are applied, the weight is determined according to the intrinsic characteristics of the product such as outer diameter, thickness, and length, and the cost and selling price are determined accordingly. After all, NWM's selling price, cost and other economic indicators reflect the differences of standards.

Finally, the investigations shall, except in special circumstances, be concluded within one year, and in no case more than 18 months, after their initiation in Article 5.10 of AGREEMENT ON IMPLEMENTATION OF ARTICLE VI OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE 1994("WTO agreement").

## PUBLIC RECORD

This investigation initiated 13, July 2020 and it has already been well over two years. If this request is part of an investigation and would affect the of the ADC's determination of termination report on 12 November 2021, it would be a process contrary to the WTO Agreement.

The petitioner, MM Kemblar, commercially imported dumped goods from \*\*\*\*\* for long time not temporary. It is a strange claim that the importer of dumped goods suffered injuries from the dumped goods. It means that there can be no causal relationship between the dumped imports and the injury to the domestic industry and furthermore there may be serious problems from the beginning of the investigation.

Nevertheless, NWM regards that ADC's dumping margin calculation and product comparison is reasonable and will corporate ADC's additional investigation process if possible.