

9 December 2021

Mr Ben Merlin
Assistant Director
Investigations 1
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

Dear Mr Merlin

Public File

Investigation No. 591 – Aluminium extrusions exported from Malaysia and Vietnam – submission by Press Metal Aluminium Australia Pty Ltd

We refer to the submission of 5 November 2021 on behalf of Press Metal Aluminium Australia Pty Limited (“PMAA”) (EPR Document No. 008).

Capral Limited (“Capral”) notes that the submission on behalf of PMAA has challenged the Commissioner’s decision to commence a continuation of measures investigation. It is argued on behalf of PMAA that “reasonable grounds” asserting that dumping and injury were likely should the measures expire was not established.

We strongly disagree with PMAA’s assertions.

Capral’s application included prima facie information as to domestic prices for aluminium extrusions (“the goods”) during the 2020/21 year, along with supporting evidence as to the increase in import volumes from Malaysia and Vietnam in the same period and, in respect of exports to Australia by Vietnamese exporters, declining export prices (which was in contrast to global increases in aluminium pricing).

It may also be recalled that the Minister for Industry, Science and Technology (“the Minister”) only recently (i.e. on 31 May 2021) confirmed that certain exporters in Malaysia (with the exception of Alumac Industries Sdn Bhd and Premium Aluminium (M) Sdn Bhd) were found to exported to Australia during the investigation period in Investigation No. 544 at positive dumping margins. The East Asia Aluminium Company Ltd of Vietnam also exported at dumped levels of 1.9 per cent.

Capral highlights with the Anti-Dumping Commission (“the Commission”) that even with measures in place, a significant proportion of the Malaysian exporters continued to export the goods to Australia at dumped prices. This is demonstrative of the likelihood of further dumping should the measures be allowed to expire.

The PMAA submission then postulates about the injury that the anti-dumping measures are intended to prevent. It should be noted that the recent Investigations 540 and 541 involved six Malaysian exporters of aluminium extrusions that were exempted from measures following Investigation No. 362 in 2017. Investigations 540 and 541 found that almost all of the exempted exporters reduced export prices to be the lowest selling price in the Australian market in 2019. The Australian industry producing like goods suffered material injury from the price undercutting that occurred from the Malaysian exports, resulting in price suppression and reduced profit and profitability.

In the current circumstances, the Commission has established that exporters in Malaysia (except for Alumac and Premium) have continued to export at dumped prices post Investigation No. 362. It is

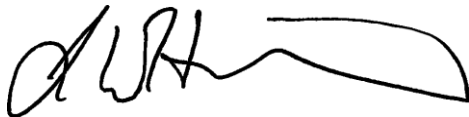
therefore likely that the Malaysian exporters that continue to be the subject of measures will likely export again at dumped prices that will undercut the Australian industry resulting in reductions in profit and profitability.

The available past performance of the Malaysian and Vietnam exporters would likely suggest that dumping and injury will again recur should the measures be allowed to expire.

PMAA's claim that reasonable grounds were not evidenced in Capral's application is misleading as it is not based upon the facts that have already been established in Review of Measures Investigation 544 and should therefore be disregarded.

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

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

Luke Hawkins
General Manager – Supply and Industrial Solutions