

9 May 2022

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 – Supplementary submissions on behalf of Press Metal Group**

I. Introduction

We refer to the following documents recently placed on the Electronic Public Record (“EPR”) in Investigation No. 591 (“Invest 591”), namely:

- Submission dated 2 May on behalf of Press Metal Aluminium (Australia) Pty Ltd (“PMAA”), Press Metal Berhad (“PMB”), and PMB Aluminium Sdn Bhd (“PMBA”); and
- The Report of John Temple-Cole of KordaMentha Forensic concerning the determination of adjustments (including for level of trade) to PMBA’s normal value.

Capral Limited (“Capral”) has reviewed the documents and provides the following brief comments.

II. Submission on behalf of Press Metal Group of companies

This submission seeks to have certain adjustments to PMBA’s normal value re-considered, including:

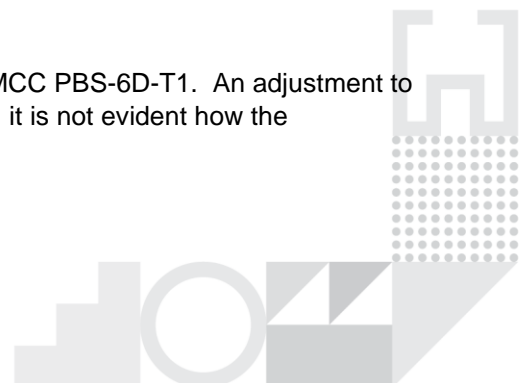
- A level of trade adjustment for claimed differences between retail and distributor sales;
- Domestic credit for sales by a division within PMBA; and
- A specification adjustment for an alloy used to produce MCC PBS-6D-TI.

The level of trade adjustment sought by PMBA is the subject of the document by KordaMentha (EPR Document No. 033) – See below.

In respect of the requested adjustment for domestic credit it is stated that “...what the invoiced payment terms state is not necessarily what actually happens in commercial practice” suggests that the Anti-Dumping Commission (“the Commission”) verification team should have ignored what was stated on the commercial invoice.

We submit that it was the obligation of PMBA to demonstrate a credit adjustment was warranted at the time of verification and not based upon what may be interpreted at some later date.

PMBA is also seeking an adjustment for an “expensive alloy” that is used in MCC PBS-6D-T1. An adjustment to a the surrogate MCC PC-6A -T1 is proposed. From the information provided, it is not evident how the adjustment is demonstrated and whether the adjustment is in fact warranted.



III. KordaMentha Report

The Report prepared by KordaMentha asserts that had the Commission considered all relevant sales when comparing the retail versus distributor for the claimed level of adjustment (as opposed to a selected sample based upon highest volumes) then a downward adjustment of approximately 6.2 per cent would have been made to PMBA's weighted average normal value.

There exists a significant motivation for PMBA to pursue representations for this adjustment as it could potentially result in PMBA not paying interim anti-dumping duties ("IDD") in future should the Minister continue the measures for a further five-year period.

Capral queries why PMBA has provided what appears to be additional information in its favour post the verification by the Commission when PMBA had the full opportunity to provide the information in a timely manner during verification. We do not consider that the Commission should accept information that is not the subject of verification and should reject PMBA's request for adjustment.

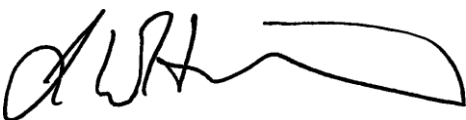
IV. Conclusions

Capral does not consider that PMBA should be afforded a subsequent opportunity(ies) to provide unverified information to benefit the determination of normal values post verification.

Capral draws the Commission's attention to its response to Statement of Essential Facts No. 591 ("SEF 591") demonstrating the additional evidence that highlights the price undercutting evident from dumped exports of aluminium extrusions from Malaysia and Vietnam during the investigation period. Capral re-iterates its position that the evidence of price undercutting submitted in its response to SEF 591 demonstrates the necessity of the Minister continuing the anti-dumping measures on exporters in Malaysia and Vietnam for a further five-year period.

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



Luke Hawkins  
General Manager – Supply and Industrial Solutions

