



ANTI-DUMPING NOTICE NO. 2019/136

Certain Aluminium Extrusions Exported to Australia from the People's Republic of China, Malaysia and the Socialist Republic of Vietnam Findings from Exemption Inquiries EX0074, EX0075 and EX0076

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have completed three exemption inquiries (EX0074, EX0075 and EX0076) in relation to anti-dumping measures applying to certain aluminium extrusions exported to Australia from the People's Republic of China (China), Malaysia and the Socialist Republic of Vietnam (Vietnam).

The exemptions were sought pursuant to subsections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act). Under this provision, the Minister for Industry, Science and Technology (the Minister) may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (the duties) if satisfied:

that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.

The anti-dumping measures

Anti-dumping measures on aluminium extrusions exported to Australia from China were initially imposed on 28 October 2010.¹ These measures were continued for a further five years from 28 October 2015.²

Anti-dumping measures on aluminium extrusions exported from Malaysia and Vietnam were initially imposed on 28 June 2017.³

For further details as to the current rates of duty, refer to the Anti-Dumping Commission (Commission) website available via www.adcommission.gov.au.

¹ *Trade Remedies Branch Report No. 148* refers.

² *Anti-Dumping Commission Report No. 287* refers.

³ *Anti-Dumping Commission Report No. 362* refers.

The goods

The goods to which the current anti-dumping measures apply are:

Aluminium extrusions produced via an extrusion process, of alloys having metallic elements falling within the alloy designations published by The Aluminium Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents), with the finish being extruded (mill), mechanical, anodised or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 millimetres (mm), with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.

The goods include aluminium extrusion products that have been further processed or fabricated to a limited extent, after aluminium has been extruded through a die. Aluminium extrusion products that have been painted, anodised, or otherwise coated, or worked (e.g. precision cut, machined, punched or drilled) fall within the scope of the goods.

The goods do not extend to intermediate or finished products that are processed or fabricated to such an extent that they no longer possess the nature and physical characteristics of an aluminium extrusion, but have become a different product.

The goods are classified to the tariff subheadings and statistical codes listed in Schedule 3 of the *Customs Tariff Act 1995*:

Tariff subheading	Statistical code
7604.10.00	06
7604.21.00	07
7604.21.00	08
7604.29.00	09
7604.29.00	10
7608.10.00	09
7608.20.00	10
7610.10.00	12
7610.90.00	13

The exemption goods

Three applications for exemptions were made to the Minister by Auswide Equipment Pty Ltd. After examining each application, I initiated three separate inquiries – EX0074, EX0075 and EX0076.

The exemption goods are broadly aluminium extrusions in alloy designation 7005 with temper designation T593. The applicant states that these materials are used in the manufacture of plant trailers and loading ramps for the transportation and loading of earthmoving equipment.

The goods the subject of the exemption inquiry (the exemption goods) are described as follows:

EX0074 – aluminium channel

The exemption goods are aluminium channel made from alloy and temper designations 7005 T593 of the following dimensions:

- 105 mm x 50 mm channel at 3.4 metres long, with a flange thickness of 7 mm and wall thickness of 4 mm.

- 125 mm x 50 mm channel at 3.4 metres long, with a flange thickness of 8 mm and wall thickness of 4 mm.
- 150 mm x 50 mm channel at 3.4 metres long, with a flange thickness of 8 mm and wall thickness of 4.5 mm.⁴
- 160 mm x 60 mm channel at 3.4 metres long, with a flange thickness of 9 mm and wall thickness of 6 mm.

EX0075 – aluminium flat bar

The exemption goods are aluminium flat bar made from alloy and temper designations 7005 T593 of dimensions 160 mm x 10 mm flat bar at 4 metres long.

EX0076 – aluminium angle line

The exemption goods are aluminium angle line made from alloy and temper designations 7005 T593 of the following dimensions:

- 38.1 mm x 38.1 mm x 4.75 mm angle at 6 metres long.
- 40 mm x 40 mm x 6 mm angle at 6 metres long.
- 50.8 mm x 50.8 mm x 6.35 mm angle at 6 metres long.
- 63.5 mm x 63.5 mm x 6.35 mm angle at 6 metres long.
- 76.2 mm x 76.2 mm x 6.35 mm angle at 6 metres long.

The inquiries

In conducting each inquiry, I sought information from interested parties, including the Australian industry producing aluminium extrusions.

Following these inquiries, I recommended to the Minister that she exempts the exemption goods from the duties in accordance with subsections 8(7)(a) and 10(8)(a) of the Dumping Duty Act.

The Minister has accepted my recommendations and has exempted the exemption goods the subject of the inquiries from the duties.

A copy of *Exemption Inquiry Report Nos. EX0074, EX0075 and EX0076* provides details of the findings of these exemption inquiries and is available on the Commission website.

Further information

If importers believe that goods they are importing are exempted from dumping duty in accordance with these exemption instruments, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no dumping duties will be applied to the shipment.

Parties seeking a refund of dumping duties already paid should contact the Commission's client support team on 132846 or +61 2 6213 6000 or email clientsupport@adcommission.gov.au.

The decision to grant the exemptions does not prevent further applications for exemptions from dumping duties. Parties can apply for an exemption where they believe their goods satisfy any of the conditions for exemption detailed in subsections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found at the Commission website.

⁴ In the application, the exemption goods were described incorrectly with a flange thickness of 9 mm instead of 8 mm. The Commission published a file note on the Commission's website revising the exemption goods description for EX0074 (see Case EX0074 EPR Item No. 005.)

The exemptions granted may be subject to review and may be revoked by the Minister if circumstances change.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Commission on 132846 or for international callers on +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.

A handwritten signature in black ink, appearing to read "Dale Seymour". The signature is written in a cursive style with a long, sweeping tail on the "y".

Dale Seymour
Commissioner
Anti-Dumping Commission

17 December 2019