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Anti-Dumping Commission - Investigation No. 691

Aluminium Windows and Doors Exported from China

Jolong Australia

Supplementary Submission Responding to the Commission's Preliminary Review Feedback

Ground One - Commercial Availability, Equal Terms and Custom and Usage of Trade

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This document is the non-confidential public version of Jolong Australia's supplementary submission. Customer identities, exact project addresses, commercial pricing, private correspondence and other commercially sensitive information contained in the Confidential Version and confidential annexures have been omitted or summarised. The public summaries below preserve the substance of the evidence relied upon so that interested parties can understand and comment on Jolong's Ground One case.

EXECUTIVE STATEMENT

This submission responds directly to the Commission's preliminary feedback on Ground One. It does not rely on technical differentiation alone. Jolong uses the technical definition to identify the goods that are genuinely comparable, and then relies on actual project evidence to demonstrate how those specifications operate in procurement, design coordination, energy compliance and practical substitution. The representative evidence spans the period immediately preceding the inquiry period, the inquiry period itself, and the current market.

The Confidential Version contains underlying project records, including quotations, approved shop drawings, customer/builder correspondence and energy-performance material. This Public Version provides non-confidential summaries of that evidence while withholding identifiable customer information and commercially sensitive terms.

PART ONE - GROUND ONE SUPPLEMENTARY SUBMISSION

1. Purpose of this Supplement

Jolong thanks the Anti-Dumping Commission for its preliminary review and for recognising the work undertaken to develop an objectively identifiable definition of the proposed exemption goods, including detailed technical specifications, profile dimensions, performance testing information and proposed identification criteria.

Jolong understands the central point of the Commission's feedback: technical differentiation is relevant to identifying the comparison goods, but Ground One requires a more direct examination of whether like or directly competitive goods are offered for sale in Australia to all purchasers on equal terms under like conditions, having regard to the custom and usage of trade.

Accordingly, this supplement connects the existing technical evidence to the commercial questions expressly identified by the Commission: commercial availability, equal terms, lead times, supply capability, minimum order quantities, project requirements, procurement practices, and custom and usage of trade.

2. Refined Ground One Proposition

Jolong recognises that Ground One is not established merely because its products are higher-performance, use thermal-break technology or specialised glazing/hardware, have different tested performance, or occupy a different market segment. Nor does Jolong contend that Australian manufacturers are inherently incapable of manufacturing high-performance aluminium windows and doors.

Jolong's proposition is that the Exempt Goods Technical Schedule should first identify the goods that are genuinely comparable. The Commission can then assess, on actual Australian market evidence, whether goods with sufficiently comparable physical, functional and commercial characteristics are commercially available in the ordinary course of trade and, if so, on what terms and conditions.

In short, the technical evidence identifies what should be compared; the commercial evidence determines whether genuinely comparable goods are actually offered in Australia in the manner contemplated by Ground One.

3. Connecting Technical Evidence to Commercial Comparability

For each representative exemption product, the relevant project requirements should first be identified and then tested against the actual Australian market offering.

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Existing technical evidence	Commercial relevance	Commercial fact to be tested under Ground One
Profile/frame/sash dimensions, wall thickness and system construction	Affects structural configuration, sightlines, glazing and hardware compatibility	Whether an actually purchasable Australian system can meet the same project requirement, rather than whether a system could theoretically be manufactured.
Thermal-break, glazing capacity and U-value/SHGC information	Affects energy, thermal and design selection	Whether a comparable configuration is part of ordinary commercial supply or requires special development, re-engineering or re-testing.
Air / Water / Serviceability / Ultimate testing	Establishes performance of a defined system/configuration	Whether a comparable tested/validated configuration is commercially available for the project.
Maximum size, opening type and specialised hardware	Directly affects architectural design and operation	Whether the comparable size/opening is ordinarily supplied and whether MOQ, lead-time, quantity or project restrictions apply.
Integrated system design	Shows that comparison cannot be reduced to a single extrusion or glass type	Whether a complete commercially available system can satisfy the combined project requirements.

4. Commercial Availability in Australia

The relevant question is not merely whether an Australian business has the technical capability to manufacture a product, but whether relevant comparable goods are actually offered in ordinary commercial supply. Jolong's commercial-availability analysis considers:

- whether products sufficiently comparable in key technical, dimensional, performance, glazing, opening and project-use characteristics are available as actual market offerings;
- whether a purported alternative requires project-specific redesign, engineering, re-testing or special production;
- whether the product can be supplied within the relevant project timeframe;
- whether supply is subject to quantity, project-type, geographic or other commercial restrictions; and
- whether use of the alternative requires material changes to architectural design, opening size, glazing, hardware, performance requirements or procurement conditions.

The Confidential Version contains the underlying project and commercial material relied upon. This Public Version summarises that material without disclosing protected customer or commercial information.

5. Equal Terms and Like Conditions

Where a technically comparable product exists, the terms and conditions on which it is offered remain relevant. The analysis includes whether relevant purchaser categories can obtain the product; whether comparable pricing methodology, payment, delivery and technical-support conditions apply in comparable quantities and project circumstances; whether supply is restricted by customer type, dealer network, project category or geography; and whether special engineering, testing, tooling/development, minimum order quantities or other conditions materially affect practical availability.

Jolong does not presume unequal treatment by Australian suppliers. The purpose of the evidence is to allow the Commission to determine whether the equal-terms and like-conditions elements are satisfied on the facts.

6. Lead Times, Supply Capability and Minimum Order Quantities

Factor	Public evidence summary	Ground One relevance
Lead time	Project records and supply information demonstrate that procurement timing can include technical review, shop-drawing coordination, glazing/hardware integration and approval, in addition to production.	Whether comparable goods can actually be obtained within ordinary project timing.
Supply capability	Project evidence identifies required sizes, configurations, glazing, operating functions and coordinated system combinations.	Distinguishes theoretical manufacturing capability from practical commercial supply.
MOQ / quantity conditions	Commercial terms are confidential; the relevant public proposition is whether ordinary purchasers and projects can obtain comparable goods without materially	Whether goods are offered on like conditions.

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	different quantity conditions.	
Special development	Evidence considers whether substitution requires redesign, tooling, testing, engineering or certification beyond ordinary supply.	Whether an asserted substitute is an ordinary market offering or a special development.

7. Project Requirements and Practical Substitutability

Aluminium windows and doors are commonly procured within project-specific architectural and performance requirements. For the proposed exemption systems, procurement may depend on opening dimensions, façade design, glazing, energy requirements, wind/water performance, opening type, hardware, installation interfaces and construction sequencing.

Where substitution requires material changes to design, dimensions, performance or procurement, that fact is relevant to practical commercial substitutability and should not be treated merely as a technical difference.

8. Procurement Practices and Custom and Usage of Trade

- selection and procurement by reference to architectural drawings, window schedules, energy requirements, wind/water requirements, glazing specifications, hardware requirements and approved shop drawings;
- the need for technical re-coordination, and in some cases engineering, energy or certification review, when a specified system is substituted after key requirements have been established;
- the purchaser's focus on whether the complete system can be delivered within the required price, timing, performance, dimensional and service conditions, rather than on the aluminium extrusion alone; and
- the resulting need to assess direct competition by practical project-level substitutability rather than by the broad description "aluminium windows and doors" alone.

9. Direct Response to the Commission's Preliminary Comments

Commission preliminary comment	Jolong response	Public evidence / treatment
Current draft focuses primarily on technical differentiation	Accepted. Technical material primarily defines the comparison goods rather than operating as the Ground One conclusion.	Separate commercial availability / equal terms / like conditions analysis.
Explain how technical evidence establishes Ground One elements	Each key technical requirement is connected to actual procurement, supply and substitution conditions.	Project-level evidence of whether comparable goods are actually obtainable under required conditions.
Additional evidence of Australian commercial availability	No conclusion is presumed without evidence.	Public summaries supported by underlying confidential project records and other market evidence.
Lead times / supply capability / MOQ	Treated as distinct commercial factors.	Representative project evidence and confidential commercial material.
Project requirements / procurement practices	Form part of the custom and usage of trade analysis.	Specifications, shop-drawing/procurement requirements and project evidence.
Technical Schedule is useful	The Exempt Goods Technical Schedule remains the objective identification foundation.	May be refined or narrowed following Commission feedback.

PART TWO - CASE STUDY 1: REPRESENTATIVE PRE-INQUIRY PROJECT**2.1 Project Chronology and Market Testing**

The Confidential Version identifies a South Australian architecturally designed residential project developed through 2023 and finalised in February 2024. The procurement, design and technical coordination process extended over approximately nine months and involved numerous quotation and shop-drawing revisions before the final approved position was reached.

Contemporaneous project records indicate that the builder explored alternative window and door supply options during the procurement process. For certain window and door types and project-specific design requirements, alternative suppliers were unable to provide the required solution as specified, resulting in the builder considering alternative sources of supply. The identities of the customer, builder and alternative suppliers, together with the underlying correspondence, are withheld from the Public Version for confidentiality reasons. A full evidentiary record is provided in the Confidential Version.

2.2 Non-Confidential Summary of Objective Project Requirements

The project included a coordinated mix of systems, with the most relevant elements within Jolong's proposed 70/85/100 Series exemption scope including:

- 70 Series thermal-break hinged doors with inward/outward opening and project-specific sill, sealing, self-closing/self-latching and access/safety requirements;
- 70 Series thermal-break awning/fixed windows with Low-E argon-filled double glazing, flyscreens, electric winders and opening restrictions;
- 100 Series thermal-break fixed windows in large dimensions with project-specific heavy Low-E argon-filled toughened IGUs, including high-wind-load configurations;
- 100 Series 90-degree silicone butt-joint corner-window arrangements requiring site glazing/assembly;
- a curved bay/fixed-window arrangement using curved toughened Low-E double glazing and silicone butt-joint detailing; and
- configurations incorporating built-in blinds and other project-specific glazing/hardware integration.

The project also included other Jolong systems outside the present 70/85/100 Series exemption scope. They are referenced only to demonstrate integrated procurement complexity and are not presented as part of the current proposed exempt goods.

2.3 Commercial Significance

The project demonstrates why commercial substitutability cannot be assessed solely by asking whether another supplier sells an aluminium fixed window, awning window or door. The relevant question was whether a supplier could provide the required combination of dimensions, thermal-break construction, glazing, opening function, corner/butt-joint geometry, curved glazing, high-wind configurations, hardware and project interfaces as an executable supply solution.

The extended procurement path also illustrates that lead time in this market is not limited to factory production. Procurement can include product selection, technical review, alternative-supplier assessment, shop-drawing coordination, glazing/hardware integration and builder approval. Where a substitute requires redesign, deletion of design features, split sourcing, special engineering or materially different procurement conditions, those matters are relevant to commercial availability, like conditions and custom and usage of trade.

PART THREE - CASE STUDY 2: PROJECTS WITHIN THE INQUIRY PERIOD

These projects are relied upon principally to demonstrate the objective product specifications, system combinations and project-specific configurations actually supplied during the Investigation 691 inquiry period. Customer identities, exact addresses, order numbers and commercially sensitive terms are omitted from the Public Version.

3.1 Victorian Project - March 2025

The accepted design combined several materially different high-performance systems and glazing configurations within one coordinated package, including:

- 85 Series aluminium thermal-break hand-cranking awning windows using Low-E argon-filled double toughened glazing, including electrically operated units;
- 85 Series thermal-break fixed windows and minimalist concealed-hinge hinged doors with project-specific Low-E IGU configurations;
- panoramic automatic sliding-door systems with high-performance Low-E insulated glazing and retractable flyscreen integration; and
- specialised large-format/high-performance sliding-door arrangements and other project-specific systems coordinated through the same approved shop-drawing package.

Ground One significance: the commercially relevant comparison is whether comparable goods are offered for sale with the required thermal-break construction, opening mechanism, automation, glazing build-up, large-format capability, concealed/minimalist hardware and project coordination on comparable commercial terms and within the required project programme.

3.2 South Australian Project - October 2024

This project demonstrates a different form of specification complexity, including:

- large 100 Series fixed windows using heavy double-toughened glazing;
- a large multi-panel thermal-break sliding-door arrangement;
- 70 Series thermal-break inward- and outward-opening hinged doors with project-specific sill and functional requirements;
- a 100 Series 90-degree corner fixed-window arrangement using heavy laminated glazing; and

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- a broader mix of fixed, awning, sliding and pocket-door configurations requiring coordination of sill, hardware, glazing and opening requirements.

Ground One significance: commercial substitutability must be tested against the actual combination of dimensions, glass make-up, corner geometry, opening type, sill requirements and system interfaces. A nominally similar product that requires material redesign, split sourcing or a different configuration is not necessarily offered under like conditions for the project as specified.

PART FOUR - CASE STUDY 3: CURRENT PROJECT EVIDENCE - ENERGY / EER-DRIVEN COMPLIANCE

4.1 South Australian Residential Project - 2025/26

This current-market project demonstrates how the required window and glazing specification can be driven directly by an Energy Efficiency Report / glazing calculation rather than by appearance or price alone.

The confidential energy-performance material identifies project-specific total-system U-values and SHGC values for individual glazing elements and records passing outcomes for the relevant summer and winter calculations. Jolong's accepted project solution was developed to meet that required energy-performance envelope using high-performance thermal-break framing combined with enhanced Low-E insulated glazing, including triple-glazed Low-E configurations where required by the project solution.

Ground One significance: for an EER-driven project, a practical substitute must be capable of achieving the required whole-system thermal performance at the required opening size and configuration, while also satisfying structural, glazing, operational and project-delivery requirements. If a proposed substitute cannot achieve the nominated U-value / SHGC without redesigning openings, changing architectural intent or materially changing the procurement basis, that difference is commercially relevant.

PART FIVE - SYNTHESIS AND PUBLIC EVIDENCE SUMMARY

The case-study groups are intentionally relied upon for different evidentiary purposes. Read together, they provide a chronological and commercial picture rather than repetitive examples.

Evidence group	Timing	Primary evidentiary focus	Ground One relevance
Case Study 1 - SA project	Pre-inquiry; developed through 2023 to Feb 2024	Actual procurement process, repeated design development, high-wind/passive-design concerns, integrated project solution	Custom and usage of trade; practical substitutability; procurement practice; project-specific availability.
Case Study 2A - VIC project	Inquiry period; Mar 2025	85 Series thermal break, Low-E IGUs, electric operation, concealed/minimalist doors, panoramic automatic sliding systems	Objective product specification; system combination; commercial availability during inquiry period.
Case Study 2B - SA project	Inquiry period; Oct 2024	Large-format 100 Series, large sliding doors, 70 Series thermal-break hinged doors, 90° corner glazing and varied sill/glazing requirements	Objective product specification; dimensions/configuration; practical project substitutability during inquiry period.
Case Study 3 - SA project	Post-inquiry/current market; 2025/26	EER/glazing-calculation driven U-value and SHGC requirements; high-performance thermal-break + Low-E / triple-glazed solution where required	Current commercial need; performance-driven procurement; ability of substitutes to meet whole-system energy requirements.

Taken together, the evidence supports a more precise proposition than a general claim of technical superiority: Jolong's relevant goods are selected and configured in response to identifiable project requirements, and commercial substitutability depends on whether genuinely comparable goods are actually offered in Australia on workable and comparable terms for those requirements. Technical evidence identifies what must be compared; project evidence demonstrates how those specifications operate in real procurement; and commercial evidence addresses whether comparable supply is practically available.

Jolong does not submit that these case studies alone conclusively establish Ground One across the whole Australian market. They are concrete market evidence to be considered together with the Exempt Goods Technical Schedule, third-

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party performance testing, Australian-producer enquiries and other evidence concerning lead times, supply capability, minimum order quantities, project restrictions and terms of supply.

5.1 Non-Confidential Summary of Confidential Supporting Evidence

Confidential evidence category	Non-confidential public summary
Confidential Annexure A - Pre-inquiry project	Contemporaneous correspondence, final quotation and approved shop drawings evidencing an extended procurement/design-development process, market testing, project-specific technical requirements and an integrated supply solution. Customer identities, exact address, pricing and correspondence are confidential.
Confidential Annexure B - Inquiry-period Victorian project	Final quotation and signed shop drawings evidencing 85 Series thermal-break systems, Low-E insulated glazing, electric operation, concealed/minimalist hardware and coordinated high-performance sliding systems. Customer identity, exact address and commercial terms are confidential.
Confidential Annexure C - Inquiry-period South Australian project	Quotation and signed shop drawings evidencing large-format 100 Series units, thermal-break doors, 90-degree corner glazing and coordinated sill/glazing/opening requirements. Customer identity, exact address and commercial terms are confidential.
Confidential Annexure D - Current EER-driven project	Signed quotation, shop drawings and energy/glazing calculations evidencing project-specific whole-system thermal-performance requirements and integrated thermal-break / Low-E glazing solutions. Customer identity, exact address, pricing and detailed project records are confidential.

5.2 Confidentiality Treatment

The Public Version intentionally omits or generalises customer names, private contact details, exact residential addresses, project order numbers, contract values, individual pricing, payment terms, commercially sensitive correspondence, and other information capable of identifying private customers or revealing Jolong's confidential commercial arrangements. Where such information is relied upon, a meaningful non-confidential summary is provided above and the underlying evidence is contained in the Confidential Version supplied to the Commission.

CONCLUSION

Jolong respectfully submits that the appropriate Ground One inquiry is not whether broadly described aluminium windows and doors exist in Australia, but whether genuinely comparable goods - assessed against the objectively defined product and project requirements - are actually offered for sale in Australia to relevant purchasers on equal terms under like conditions, having regard to the custom and usage of trade.

The Public Version preserves the substance of Jolong's commercial and project evidence while protecting customer confidentiality and commercially sensitive information. Jolong requests that the Commission consider this Public Version together with the separately supplied Confidential Version and supporting confidential annexures.