SUBMISSION IN RESPONSE TO STATEMENT OF ESSENTIAL FACTS NO. 691

Investigation 691 — Aluminium windows and doors exported from the People's Republic of China
Comments due 3 November 2026

Item	Details
To	Director, Investigations 1, Australian Trade Remedies Commission
Email	Investigations1@atrc.gov.au
Case	Investigation 691 — Aluminium windows and doors exported from the People's Republic of China
From	Foshan Biaozhi Doors and Windows Technology Co., Ltd
Date	27 October 2026
Nature	Public version (this submission contains no confidential information)
Subject	Submission in response to Statement of Essential Facts No. 691

1. Submitter and interest

Foshan Biaozhi Doors and Windows Technology Co., Ltd is a manufacturer of the goods in China. The Company made no exports of the goods to Australia during the investigation period (1 July 2024 to 30 June 2025); its supply to Australia commenced in 2026 and comprises one shipment (see Annex B to the submission out of time). As a manufacturer of the goods and a supplier to the Australian market, the Company has a direct interest in the preliminary findings in SEF 691 concerning cost, injury, and the treatment of exporters that did not respond. The Company's future exports to Australia will be subject to the "uncooperative and all other exporters" rate of 73.3 per cent, and it therefore has a direct interest in Ground 3.

2. Summary of grounds

No.	Ground	SEF reference	Request
1	The material injury finding is inconsistent with the SEF's own data	pp.177–178	Reconsider injury and causation
2	The injury analysis does not exclude other causes	pp.198–201	Provide a fuller causation analysis
3	A single rate of 70.4 per cent is applied to all non-responding exporters without individual	p.132; pp.151–153; pp.61–62	Determine the rate on verifiable data

	assessment		

3. Ground 1 — material injury

SEF 691 finds at p.177 that the applicant remained profitable throughout the injury period, although its profit and profitability declined from FY2023 to FY2025, most sharply in the investigation period (SEF 691, p.177). At pp.177–178 the SEF records that only four industry members provided data capable of showing profitability trends: profitability declined for three and increased for one (industry member 2), which the Commission explains by reference to that member's smaller scale and its success in individual large projects (SEF 691, pp.177–178).

Under the Ministerial Direction on Material Injury 2012, injury must be not "immaterial, insubstantial or insignificant", and there is no generally applicable threshold; materiality depends on the circumstances of each case (SEF 691, p.202). Where the applicant remained profitable throughout the period, and the sample comprises four members of which one improved, the SEF does not explain why the injury found exceeds the downturn experienced across the construction sector over the same period, nor does it quantify the contribution of other factors.

4. Ground 2 — other causes of injury

SEF 691 records at p.198 that Australian industry sales value fell by around 17 per cent from its FY2023 peak (6 per cent during the investigation period), while the Australian market as a whole fell by around 9 per cent (2 per cent during the investigation period) (SEF 691, p.198). At p.199 the SEF accepts that the applicant's market share may have been affected by industry consolidation, acquisitions and changes in the competitive landscape (SEF 691, p.199). At p.201 it also accepts that increases in Australian industry's cost to make and sell affected its economic condition (SEF 691, p.201).

Further, at p.60 the SEF finds that aluminium windows and doors account for approximately 5 to 7 per cent of the construction cost of a typical dwelling, and states that broader public interest considerations have not been considered in the preliminary findings and recommendations (SEF 691, p.60).

5. Ground 3 — treatment of non-responding exporters

At p.132 the SEF treats exporters that did not provide the information requested through an exporter questionnaire as uncooperative exporters (SEF 691, p.132). At p.151 it states that the export price for uncooperative exporters is the lowest verified FOB export price of the selected exporters (SEF 691, p.151); at pp.152–153 it states that normal value is the weighted average normal value of all selected exporters, excluding those found not to have dumped, producing a rate of 70.4 per cent (SEF 691, pp.152–153).

The rate of 70.4 per cent is therefore not a finding in respect of the Company's actual export prices and costs; it is the result of comparing the lowest verified price with an average normal value. At pp.61–62 the SEF also records that another exporter (Hennissy) requested individual examination, which the Commission declined on the basis that it was not practicable at that stage and would prevent the timely completion of the investigation (SEF 691, pp.61–62).

The Company has provided transaction and cost information (see the annexes to the submission out of time) and requests that it be taken into account in the final report. If individual examination is not practicable at this stage, the Company requests that these matters be recorded on the file and used as the basis for any future review.

6. Relief sought

The Company respectfully requests that the final report:

(a) reconsider the material injury and causation findings and explain why the injury found meets the standard in the Ministerial Direction on Material Injury 2012;

(b) apply a rate based on verifiable data to the Company, or at least record that 70.4 per cent is a rate determined on the facts available rather than an individual finding.

Yours faithfully,

Foshan Biaozhi Doors and Windows Technology Co., Ltd
(company seal)

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