**Pre-Sampling Questionnaire (Producer)**

**Anti-dumping investigation**

**Case AD0012: Aluminium Extrusions exported from the People’s Republic of China**

|  |  |
| --- | --- |
| **Period of Investigation:** | 01/06/2020 – 31/05/2021 |
|  |  |
| **Injury Period:** | 01/06/2017 – 31/05/2021 |
|  |  |
| **Deadline for response:** | 06 July 2021 |
|  |  |
| **Case Team Contact:** | AD0012@traderemedies.gov.uk |
|  |  |
| **Completed on behalf of:** | Hydro Aluminium UK ltd |
|  |  |

When you have completed this form, indicate the **confidentiality** of this document by placing an X in the relevant box below:

Confidential

**x** Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version.** Both copies should be returned to the TRA using the Trade Remedies Service ([www.trade-remedies.service.gov.uk](http://www.trade-remedies.service.gov.uk)) by 06 July 2021.

Table of Contents

[The scope of this investigation 3](#_Toc75180464)

[Instructions 3](#_Toc75180465)

[I – Why you are being asked to complete this pre-sampling questionnaire 4](#_Toc75180466)

[II – Who should complete this form 4](#_Toc75180467)

[III – Deadline for response 4](#_Toc75180468)

[IV – Note about confidentiality 4](#_Toc75180469)

[V – Period of Investigation 5](#_Toc75180470)

[VI – Injury Period 5](#_Toc75180471)

[Section A – Activities of your company and any associated parties 6](#_Toc75180472)

[A1 – Identity and contact details 6](#_Toc75180473)

[A2 – Your company’s activities 7](#_Toc75180474)

[A3 – Associated parties and operational links 8](#_Toc75180475)

[Section B – Production, sales and imports 9](#_Toc75180476)

[B1 – Production 9](#_Toc75180477)

[B2 – Sales volume and value 10](#_Toc75180478)

[B3 – Imports 10](#_Toc75180479)

[Section C – Additional information 11](#_Toc75180480)

[Section D – Economic Interest Test 12](#_Toc75180481)

[D1 – Upstream Industry (in the UK) 12](#_Toc75180482)

[D2 – Downstream Industry (in the UK) 12](#_Toc75180483)

[Section E – Certification 13](#_Toc75180484)

## The scope of this investigation

**Goods Concerned**

This investigation covers Aluminium Extrusions exported from People’s Republic of China (PRC), described as:

The goods under investigation are bars, rods, profiles (whether or not hollow), tubes, pipes; unassembled; whether or not prepared for use in structures (e.g. cut to length, drilled, bent, chamfered, threaded); made from aluminium whether or not alloyed, containing not more than 99.3% aluminium.

The product concerned is commonly referred to as ‘aluminium extrusions’, referring to its most common manufacturing process even if it can also be produced by other production processes such as rolling, forging or casting.

These Aluminium Extrusions are currently classifiable within the following commodity code(s): **76041010, 76041090, 76042100, 76042910,** **76042990,** **76081000,** **76082081,** **76082089 and 76109090.**

In this pre-sampling questionnaire, these goods will be referred to as ‘the goods concerned’. Any reference to ‘goods concerned’ in this pre-sampling questionnaire refers to the goods description above, regardless of the commodity code under which they are exported.

**Like goods**

This pre-sampling questionnaire asks for information about your company’s production and sales of goods which are **like** the goods concerned. Any reference to ‘**like goods’** in this pre-sampling questionnaire refers to goods produced in the UK or imported to the UK from a country other than the PRC which are like the goods concerned in all respects, or with characteristics closely resembling them.

## Instructions

The Trade Remedies Authority (TRA) is responsible for investigating the allegation that Aluminium Extrusions from the People’s Republic of China (PRC) are being exported to the United Kingdom (UK) at prices less than their normal value and that this dumping (sales at less than normal value) is causing injury to the UK industry for these goods.

### I – Why you are being asked to complete this pre-sampling questionnaire

We are seeking your cooperation as a UK producer to identify whether the alleged dumping has occurred and has caused injury to the UK industry. The information your company provides will help us determine a fair and appropriate response.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of UK producers complete this pre-sampling questionnaire, we will use the information each one provides to help us decide which companies we want to sample for further investigation. If you are sampled, we will send you a more detailed questionnaire to complete.

For more information about this case, you may refer to the Notice of Initiation published at: [www.trade-remedies.service.gov.uk/public/cases](http://www.trade-remedies.service.gov.uk/public/cases).

### II – Who should complete this form

You should complete this form if you are a **UK producer** of Aluminium Extrusions(‘the like good’).

If you are not a **UK producer**, please complete either the relevant Pre-Sampling Questionnaire or the Contributor Registration Form.

### III – Deadline for response

A completed pre-sampling questionnaire must be submitted to the TRA by no later than**06 July 2021**. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact the case teamvia [AD0012@traderemedies.gov.uk](https://traderemedies.sharepoint.com/sites/Investigations-Docs/Submitted%20Applications/Aluminium%20Extrusions%20from%20China/AD0012@traderemedies.gov.uk).

### IV – Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by the due date. Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header. It is your responsibility to ensure that the non-confidential version does not contain any confidential information.

Please see <https://www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/an-introduction-to-our-investigations-process#how-we-handle-confidential-information>for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

All information provided to the TRA in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 46 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019) and will be stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on [www.trade-remedies.service.gov.uk/public/cases.](https://traderemedies.sharepoint.com/sites/Investigations-Docs/Submitted%20Applications/Aluminium%20Extrusions%20from%20China/www.trade-remedies.service.gov.uk/public/cases.)

### V – Period of Investigation

The Period of Investigation (POI) referred to in this pre-sampling questionnaire is: **01/06/2020** to **31/05/2021**.

### VI – Injury Period

The Injury Period referred to in this pre-sampling questionnaire is: **01/06/2017** to **31/05/2021**.

**Please follow the instructions for each question to provide the appropriate information regarding the goods concerned or like goods.**

## Section A – Activities of your company and any associated parties

### A1 – Identity and contact details

Please complete the table below, ensuring that the point of contact given has the authority to provide this information:

|  |  |
| --- | --- |
| Legal name of company: | Hydro Aluminium UK Ltd |
| Legal structure (e.g. limited company, sole trader, partnership etc): | Limited Company  00961843 |
| Year of establishment: | 1969 |
| Other operating names: | Trading as Hydro Extrusion UK |
| Name (point of contact): |  |
| Position: |  |
| Address: | Saw Pit Lane, Tibshelf, Derbyshire. DE555NH |
| Telephone No: |  |
| Email: |  |
| Website: | www.hydro.com |

*(\*\*Please do not fill in the ‘Name (point of contact)’ or ‘Position’ sections on your company’s* ***non-confidential version*** *of this questionnaire\*\*)*

### A2 – Your company’s activities

To determine your company’s role as an interested party for the purpose of this investigation please indicate the activity/activities of your company below. For a definition of goods concerned/like goods please refer to above section on ‘[the scope of this investigation](#_Instructions)’.

x producer of the like goods in the UK

☐ other (please give details below)

If you have selected ‘other’, please describe the role of your company with regards to goods concerned or like goods:

*Please answer here*

Please describe your interest in this case:

*Please answer here*

Hydro Aluminium UK is the applicant in this case. The recent corporate history of Hydro Aluminium UK is that it has been formed from the acquisition and merger of 3 companies in the UK – Alcoa, Sapa and Hydro which were all standalone companies at one time but have gone through, in the last 20 years or so, a series of press closures, job losses and corporate restructuring in order to continue to compete with dumped Chinese imports and address the injury caused to the UK industry.

We also believe that due to the imposition of Provisional EU anti-dumping duties in October 2020 in the EU which were finalised at the end of March 2021 and will remain in place until 2026 before being reviewed again, there is a very real threat of further injury, arising from additional pressures from Chinese imports as the capacity previously sold into mainland Europe from Chinese mills will need to find a new home. An established trade route into the UK would seem to be a very real possibility and threat that will further impact UK producer’s ability to survive in its own domestic market and could cause further significant job losses and continued lack of investment.

We believe the aluminium industry should be considered an industry of importance to the UK government given its recent growth rate compared to other materials, its sustainability credentials as a material, as well as its very unique material properties. The UK aluminium industry is an accumulation of a lot of years of investment up to the turn of the century but is now being gradually destroyed with skills, knowledge, experience and capacity all being eroded with the influx of cheap extrusions originating from China in particular destroying the UK market for local producers. The recent events with the pandemic, relying on local producers to react quickly and efficiently to support the needs of the country, is a great testimony to the strategic importance of a UK manufacturing presence in a growing, and increasingly important material of choice for the future.

In the context of the UK Government’s regulations and guidelines associated with the COVID-19 pandemic, please state if this has had any impact on your company’s normal business activity during the POI. If applicable, please provide evidence.

*Please answer here*

The impact of the pandemic on the trade and activity levels of Hydro Aluminium UK was extremely significant. We continued to operate throughout the period affected by COVID-19 in order to support those business supplying critical industries such as medical sector, building and construction industries working to create or convert buildings into temporary hospital facilities (Nightingale hospitals) etc. We had to work at significantly lower manning levels, which was a significant financial burden on the business but was important to ensure that we minimised the disruption to our customers where they remained open for business in order to supply the country with the essential products it needed at the time.

In Q4 2020, as businesses were able to open again we started to see a return to the more normal level of operation, as requirements of customers to adjust supply chains to compensate from longer lead time supply routes meant the demand for product from local supply routes became critical once again and coincided with the deadline for Brexit and people buying ahead of that deadline.

By Q1 2021, Brexit had been completed and so the industry was once again adjusting to the impact on the supply chain that this disruption caused (delays at ports causing impacts to customers parts impacting their requirements for aluminium).

### A3 – Associated parties and operational links

Please give details of all associated parties involved in the production and/or sales (export and/or domestic) of the goods concerned or like goods during the POI. Both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of ‘Related Persons’ in [regulation 128 of the *Customs (Import Duty) (EU Exit) Regulations 2018*](http://www.legislation.gov.uk/uksi/2018/1248/regulation/128/made).

Examples of activities with associated parties could include production, domestic sales, export sales, and/or further processing of goods concernedor like goods.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Company name** | **Company location**  **(city, country)** | **Activities** | **Relationship** |
| Your company | *Hydro Aluminium UK (T/as Hydro Extrusion UK)* | Birtley (England) Tibshelf (England) Cheltenham (England) Gloucester (England) & Bedwas (Wales) | Log production from remelt,  Extrusion,  Anodising,  Thermal Break &  Fabrication | *Ultimate Parent company is Norsk Hydro ASA* |
| Associated Party 1 | *Hydro Deeside* | Deeside (Wales) | Log production from remelt | *Sister company, Ultimate Parent company is Norsk Hydro ASA* |
| Associated Party 2 | *Hydro Building Systems* | Tewkesbury England | Assembles Extrusions into windows doors for use in Building and construction sector | *Sister company, Ultimate Parent company is Norsk Hydro ASA* |
| Associated Party 2 | *Hydro Aluminium UK Ltd (T/as Hydro Components UK)* | Gloucester England, Rotherham England | Assembles parts for sale to OEM automotive customers | *Sister company, Ultimate Parent company is Norsk Hydro ASA, but merged with Hydro Extrusion UK in October 2020 with a name change to Hydro Aluminium UK* |

+ Add additional rows as required

## Section B – Production, sales and imports

### B1 – Production

Please fill in your company’s total production volume and capacity for the like goods in the table below.

|  |  |
| --- | --- |
|  | **Volume**  **(Metric Tonnes)** |
| Overall production of the like goods during the POI | This information is confidential and details commercially sensitive information in relation to our organisation. |
| Total production capacity of the like goods during the POI | This information is confidential and details commercially sensitive information in relation to our organisation. |

Please provide a breakdown of which types of aluminium extrusion your company **produced** during the POI, including the volume produced for each.

|  |  |  |
| --- | --- | --- |
| **Type of Aluminium Extrusion** | **Value in GBP (£)** | **Volume**  **(Metric Tonnes)** |
| Bars and Rods | This information is confidential and details commercially sensitive information in relation to our organisation. | This information is confidential and details commercially sensitive information in relation to our organisation. |
| Tubes and Pipes – not welded | This information is confidential and details commercially sensitive information in relation to our organisation. | This information is confidential and details commercially sensitive information in relation to our organisation. |
| Hollow Profiles | This information is confidential and details commercially sensitive information in relation to our organisation. | This information is confidential and details commercially sensitive information in relation to our organisation. |
| Solid Profiles | This information is confidential and details commercially sensitive information in relation to our organisation. | This information is confidential and details commercially sensitive information in relation to our organisation. |
| Other | n/a | n/a |

### B2 – Sales volume and value

Please provide your UK sales data for the like goodsproduced in the UK by your company **during the POI and the injury period.**

|  |  |  |
| --- | --- | --- |
|  | **Volume**  **(Metric Tonnes)** | **Value**  **in GBP (£)** |
| Like goods produced and sold in the UK **during the POI** | This information is confidential and details commercially sensitive information in relation to our organisation. | This information is confidential and details commercially sensitive information in relation to our organisation. |
| Like goods produced and sold in the UK **during the injury period** | This information is confidential and details commercially sensitive information in relation to our organisation. | This information is confidential and details commercially sensitive information in relation to our organisation. |

### B3 – Imports

If your company has **also imported** thegoods concerned from the People’s Republic of China, or like goods from any other country, and sold them in the UK **during the POI,** provide your sales data for these **imported goods** concerned/ like goods.

|  |  |  |
| --- | --- | --- |
|  | **Volume**  **(Metric Tonnes)** | **Value**  **in GBP (£)** |
| UK sales of the goods concerned, **imported from PRC**, during the POI | Not applicable | Not applicable |
| UK sales of the like goods, **imported from countries other than PRC**, during the POI | Not applicable | Not applicable |

## Section C – Additional information

Please provide any other relevant information which you think would be useful to help our investigation in the box below.

This may include:

* other interested parties you believe should receive a questionnaire and why;
* any initial concerns you have about the possible existence of a particular market situation in the domestic market of the People’s Republic of China (the exporting country) such as:
  + situations/distortions in the domestic market of the PRC where prices are artificially low;
  + significant barter trade;
  + prices reflect non-commercial factors; or
  + any other reason

which means it is not appropriate to use the comparable price to determine the normal value of the goods concerned;

* any initial concerns you have about the scope of the investigation;
* anything else you consider relevant.

*Please answer here*

Since the market for aluminium extrusions, as well as the markets for the different factors of production for aluminium extrusions, in China are distorted, Hydro Aluminium UK considers that Normal Value must be constructed.

The distortions in the Chinese market permeate all aspects of the economy. The consequence of the distortions is that the costs and prices for aluminium extrusions and the factors of production used to make aluminium extrusions are distorted. Normal Value cannot therefore be a price for the comparable product on the domestic Chinese market but must be a value constructed within the terms of Regulation 8(1)(a) of the Trade Remedies Regulation.

As all aspects of the economy are distorted the costs and prices to be used in the construction of the Normal Value cannot be the distorted prices and costs present in markets for the factors of production in China.

The Trade Remedies Regulation allows the construction of Normal Value on the basis of Regulation 14 and, in particular for this investigation, China’s WTO Accession Protocol. China’s WTO Accession Protocol allows WTO members to use methodologies to construct Normal Value that are not based on a strict comparison with domestic prices or costs. Article 15(a)(i), still in force after the expiry of Article 15(a)(ii), provides that it is up to exporting producers to demonstrate that market economy conditions apply to their sector. If Hydro Aluminium UK can show, *prima facie,* that the market in China is distorted the burden shifts to exporting producers to demonstrative, through the submission of positive evidence, that market economy conditions prevail in China.

In the non-confidential version of the Application which is on the public record, Hydro Aluminium UK has shown, and in a manner more than simply *prima facie*, that:

i)          the market for aluminium extrusions in China is distorted and the markets for the factors of production of the product concerned are also distorted;

ii)        TRA should apply Regulation 14 of the Trade Remedies Regulations on the basis of Article 15(a)(i) of the Protocol of Accession of China to the WTO;

iii)         in the alternative, as the individual markets for each factor of production are distorted and come within the provisions on particular market situations and the TRA can apply Regulation 8 of the Trade Remedies Regulations.

For completeness, Hydro Aluminium UK notes that the UK is entailed to rely on the EU’s non-market economy criteria for the purposes of the application of Article 15 and these criteria were applicable in the UK when China joined the WTO.

*Please answer here*

Hydro Aluminium UK considers that the POI might not be appropriate because of market distortions caused by Brexit, the EU investigation leading to Provisional and Definitive measures and COVID. The POI in the Application, from Q4/2019 to Q3/2020, is a period when these distortions are less marked. Another alternative would be to include full calendar year 2019 and 2020 so as to allow for a dampening of the distortions in the supply of raw materials to, and demand in, the UK market, as well as the changes in the patterns of trade. In any event, these distortions will need to be addressed in the course of the investigation.

Due to BREXIT on 01st January 2021 and the subsequent impacts of trade flows into, and out of, the UK, and between the UK and the EU, there will be a disruptive effect in the UK market both preceding this date and post this event. The disruption is likely to affect volume related activity and there is a concern it could also affect pricing strategies from exporters to compensate for higher logistics costs.

Due to the fact that a number of UK importers working with Chinese exporters were investigated by the European Commission as part of the EU anti-dumping investigation there is a concern that practises may have changed, during a significant part of the POI in terms of pricing strategies for products supplied into the UK. For reasons of timing, the EU duties were not grandfathered in the UK, and exporters had the unique opportunity to alter their pricing strategy to minimise the risk of action in the UK in anticipation of a case being brought by the UK Aluminium Extrusion industry.

Due to the unique position of the aluminium extrusion industry having being affected by provisional tariffs being actioned by the European Commission in Q4 2020 and being effective in the UK up until 31 December 2020 – there is likely to be significant changes with the trade flows and activities during the period of investigation.

Furthermore – as part of the application process we have requested that due to the unique position of having had tariffs imposed in Q4 2020 and removed from 01st January 2021 then these unprecedented circumstance would give rise to specific consideration for a registration date to be assigned to the aluminium extrusion imports while the TRA conduct their investigation, especially as the tariffs remain in place within the EU giving rise to a real threat of Chinese imports being redirected to established trade routes (namely the UK) as a consequence.

## Section D – Economic Interest Test

In addition, as part of this investigation, we will conduct an Economic Interest Test to assess whether a measure is in the economic interest of the UK. As part of this process, we would like your help to identify upstream and downstream industries which may wish to contribute to our investigation. If possible, please provide the names and contact information for any UK-based companies operating upstream or downstream of your business in the supply chain for the like goods.

### D1 – Upstream Industry (in the UK)

|  |  |  |
| --- | --- | --- |
| **Company Name** | **Nature of Business** | **Contact Information** |
| This information is confidential and details commercially sensitive information in relation to our organisation. |  |  |

+ Add additional rows as required

### D2 – Downstream Industry (in the UK)

|  |  |  |
| --- | --- | --- |
| **Company Name** | **Nature of Business** | **Contact Information** |
| This information is confidential and details commercially sensitive information in relation to our organisation. |  |  |

+ Add additional rows as required

## Section E – Certification

By providing the information above, you acknowledge that your company may be asked to complete a detailed questionnaire and the TRA may ask to visit your premises in order to verify the questionnaire response.

The undersigned certifies that the information supplied herein is correct and complete to the best of their knowledge and belief.

The undersigned certifies that they have the authority to supply the information contained herein on behalf of Hydro Aluminium UK Ltd

Signature (including e-signature):

Microsoft Office Signature Line...

*(\*\*Please do not fill in the ‘Name’ or ‘Position at Company’ sections on your company’s* ***non-confidential version*** *of this questionnaire\*\*)*

Name:

Position at company:

Date: 6 July 2021