

**Subject: AD0012 Aluminium Extrusions from China – Comments on the initiation of the case
Press Metal**

Press Metal would like to register our objection to the initiation of this anti-dumping case, AD0012 Aluminium Extrusions from China. The WTO's Anti-Dumping Agreement (https://www.wto.org/english/docs_e/legal_e/19-adp_01_e.htm#articleV) states the following:

5.2 An application under paragraph 1 shall include evidence of (a) dumping, (b) injury within the meaning of Article VI of GATT 1994 as interpreted by this Agreement and (c) a causal link between the dumped imports and the alleged injury. Simple assertion, unsubstantiated by relevant evidence, cannot be considered sufficient to meet the requirements of this paragraph. The application shall contain such information as is reasonably available to the applicant on the following:

(i) The identity of the applicant and a description of the volume and value of the domestic production of the like product by the applicant. Where a written application is made on behalf of the domestic industry, the application shall identify the industry on behalf of which the application is made by a list of all known domestic producers of the like product (or associations of domestic producers of the like product) and, to the extent possible, a description of the volume and value of domestic production of the like product accounted for by such producers;

(ii) a complete description of the allegedly dumped product, the names of the country or countries of origin or export in question, the identity of each known exporter or foreign producer and a list of known persons importing the product in question;

(iii) information on prices at which the product in question is sold when destined for consumption in the domestic markets of the country or countries of origin or export (or, where appropriate, information on the prices at which the product is sold from the country or countries of origin or export to a third country or countries, or on the constructed value of the product) and information on export prices or, where appropriate, on the prices at which the product is first resold to an independent buyer in the territory of the importing Member;

(iv) information on the evolution of the volume of the allegedly dumped imports, the effect of these imports on prices of the like product in the domestic market and the consequent impact of the imports on the domestic industry, as demonstrated by relevant factors and indices having a bearing on the state of the domestic industry, such as those listed in paragraphs 2 and 4 of Article 3.

5.3 The authorities shall examine the accuracy and adequacy of the evidence provided in the application to determine whether there is sufficient evidence to justify the initiation of an investigation.

We do not believe that Hydro Aluminium Ltd has included in their application evidence of dumping, injury or a causal link between the dumped imports and the alleged injury, as stipulated they must in the AD Agreement. Nor do we believe that Hydro Aluminium Ltd has included information on prices in the domestic market in China or on export prices to the first independent buyer in the UK, or on the evolution of the volume of the allegedly dumped imports (in fact declining) and the effect of these imports on prices of the like product in the domestic market, etc. as quoted above.

Furthermore, alleged distortions in the Chinese market cannot be a basis for initiating an anti-dumping case. These can only be an argument as to whether or not to use an analogue country for the normal value in the case. In their application Hydro Aluminium Ltd quotes from EU documents to make the claim that there are distortions in the aluminium sector in China. The TRA should disregard EU documents alleging distortions because the evidence has not been gathered by the TRA itself and cannot be verified by the TRA. The European Commission published a 466-page document about alleged distortions in the economy of China in 2017. This document is clearly out of date and has not been verified by the TRA, so should be ignored. The TRA must investigate alleged distortions in China for itself if these are to be used as evidence in support of an anti-dumping claim. A UK case should not be initiated purely on the basis that the EU initiated a case on the same product.

On page 12 of the application Hydro Aluminium UK states, "The UK aluminium extrusions industry is capable of supplying all sectors of the market." This is false, unless they are including Press Metal UK as part of the UK aluminium extrusions industry. Press Metal UK has been selling extrusions into the UK market for nearly two decades. During that time the company has invested approximately £25 million to cut 18,873 special dies for customers who require their extrusions to be made to order. Each customer orders extrusions for a specific purpose. These can range from phone and computer parts to doors.

The range of products supplied by PMI/PMUK is from 4-inch presses to 15-inch presses. UK-manufactured extrusions come from presses with a range of 7 inches to 10 inches, with no capacity to manufacture the small or larger extrusions. Hydro Aluminium UK estimates the size of the UK market to be 170,000 tonnes, while HMRC figures and the Aluminium Federation suggest the market could be as large as 230,000 tonnes or even 365,000 tonnes. UK manufacturers produce ~ 80,000 tonnes of extrusions so would have less than 50 percent of the capacity to meet demand even at the lowest estimate. It would take years for Hydro Aluminium UK and the much smaller UK manufacturers to cut the dies and replace Press Metal UK as a supplier – if they ever could – and in the meantime the UK customers would be forced to pay anti-dumping duties if imposed by the TRA, resulting in enormous harm to UK users of aluminium extrusions and consequently the economy of the regions in which they are based.

Additionally, Hydro Aluminium UK has provided no data from the UK Trade Info website to support its claim of dumping, but has merely pointed investigators towards the website to create their own tables for each commodity code that Hydro wants to include in the case.

Press Metal requests the TRA to terminate this anti-dumping case due to a lack of a basis for initiating it as required by WTO and UK legislation.



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