

VICTORIA BAZAN
Barrister & Solicitor

Victoria Bazan
(416) 766-6050
E-mail: vbazan@bazanlaw.com

18 March 2026

VIA FILE TRANSFER

Canada Border Services Agency
Anti-dumping and Countervailing Program
SIMA Registry and Disclosure Unit
11th Floor
100 Metcalfe Street
Ottawa, Ontario
K1A 0L8

Dear Sirs/Mesdames:

RE: Request for Administrative Review (Copper Pipe Fittings 1)

1. Introduction

On behalf of Cello Products Inc. (“Cello”), we write to request that the Canada Border Services Agency (“CBSA”) initiate an administrative review to update the normal values and export prices, in accordance with the *Special Import Measures Act* (SIMA), respecting certain copper pipe fittings from the United States, South Korea and China and the amounts of subsidy of certain copper pipe fittings from China. The request relates to the Canadian International Trade Tribunal’s (“Tribunal”) finding of 6 March 2007 in *Copper Pipe Fittings I* (“Finding”).¹ The need for an administrative review is urgent. As shown in the table below, sales of domestically produced CPF² [REDACTED]
[REDACTED]
[REDACTED].

¹ [Copper Pipe Fittings \(Re\), 2007 CanLII 11268 \(CA CITT\)](#).

² In these submissions, imported or domestically produced copper pipe fittings are abbreviated as “CPF”.

Table 1 – Cello Domestic Sales from Domestic Production

	Lbs. Shipped	\$Net
2023		
2024		
2025		

Cello's commercial intelligence indicates that the volume of imports of CPF from the named countries has been increasing in the last three years. Their observations are consistent with publicly available import data, showing a steady increase in the volume of imports since the conclusion of the last re-investigation of CPF.³

Table 2 - CPF Imports⁴

	2023	2024	Jan.–Nov. 2025
Imports (China) KGM	1,884,456	2,703,895	2,538,430
Imports (US) KGM	899,152	804,449	899,512
Imports (South Korea) KGM	5,988	6,829	3,186

The production costs and selling prices of CPF normally fluctuate with the COMEX/LME/SHFE price of copper. While each of these reference prices may vary at any given moment, all three exchanges price the same underlying commodity such that they share a long-run equilibrium price trend. Normal values currently in place were determined using sales and cost data for the last 60 days of the period of investigation in the last reinvestigation, *i.e.*, December 2022–January 2023. The table below shows the significant increases in COMEX/LME/SHFE copper prices since that period.

Table 3 - COMEX/LME/SHFE Price Changes⁵

	Dec. 2022–Jan. 2023	Jan- February 2026	% Increase
LME	\$8,743.23 USD/MT	\$13,238 USD/MT	51%
COMEX	\$3.962 USD/lb.	\$5.8946 USD/lb.	49%
SHFE	67,320 CNY/ton	100,420 CNY/ton	49%

³ [Copper Pipe Fittings \(CPF 2023 RI\)](#), concluded 8 September 2023.

⁴ Import data from Canadian International Merchandise Trade Web Application for HS Codes 7412.10.00.11, 7412.10.00.19, 7412.10.00.20, 7412.20.00.11, 7412.20.00.12, 7412.20.00.19, 7412.20.00.20. Attachment 1. Cello understands that these figures likely include non-subject goods. Nevertheless, Cello believes the data demonstrate an increasing trend in the volume of imports of subject CPF.

⁵ Historical LME, COMEX, and SHFE prices are provided in Attachment 2.

Current normal values in place do not reflect the changes in copper costs since those values were last determined and, as a result, Cello continues to lose significant sales and market share.

2. Application of Section 20 of SIMA

Cello submits that normal values for CPF from China should be determined in accordance with section 20 of the *Special Import Measures Act*⁶. For a prescribed country, section 20 applies where the President of the CBSA forms an opinion that a foreign government substantially determines domestic prices and that there is sufficient reason to believe those prices are not substantially the same as in a competitive market. China is expressly listed as a prescribed country in section 17.1 of the *Special Import Measures Regulations*.⁷ The Federal Court of Appeal has interpreted the meaning of “substantially determined” as “something less than completely determined” and “captures the various ways in which governments can exert a determinative influence on pricing, whether directly or indirectly.”⁸

The burden on the party alleging that section 20 conditions exist is low and not intended to require definitive proof that they exist. Cello submits that the evidence provided herein is sufficient to support the initiation of an inquiry by the CBSA into the allegations that the GOC substantially influences prices in the copper and copper pipe fittings sectors in China. Consistent with the CBSA’s policy, Cello provides reasonably reliable facts based on available information that support the allegation that section 20 conditions may exist in the Chinese CPF market. Indeed, the evidence discussed below demonstrates that the Government of China (“GOC”) substantially controls the entire copper value chain, from copper mining to copper smelting and copper products production CPF. Cello believes that additional information corroborating the existence of section 20 conditions will become available as part of the CBSA’s administrative review process.

⁶ [R.S.C. 1985, c. S-15](#) (“SIMA”).

⁷ [Special Import Measures Regulations, SOR/84-927](#) as amended (“Regulations”).

⁸ [Tianjin Pipe \(Group\) Corporation v. Tenarisalgotubes Inc., 2009 FCA 164](#) at para. 9.

Because CPFs are downstream products of copper and copper tube, Cello submits that the GOC's control of the copper and copper tube industries indirectly influences the price of CPFs and leads to the section 20 conditions in the CPF sector. As a result of this control, the domestic selling prices of CPFs in China are not substantially the same as they would be if they were determined in a competitive market.

A government's control of key inputs is an indicator that the government indirectly controls the prices of the good. In *Stainless Steel Sinks*, the CBSA referred to several previous CBSA investigations and concluded that "a government can indirectly control the prices of the sector being investigated by controlling the prices of the primary inputs":

The CBSA has previously found that a government can indirectly control the prices of the sector being investigated by controlling the prices of the primary inputs. In *Aluminum Extrusions*, the CBSA found that the GOC's influence on the aluminum industry in China had a significant impact on the prices in the aluminum extrusion sector. The CBSA made a similar conclusion in *Fabricated Industrial Steel Components* where it relied on evidence pertaining to the steel industry as a whole to show that the prices in the fabricated structural steel sector were being indirectly controlled by the GOC. The CBSA again made a similar conclusion in *Container Chassis* where one of the factors that led to the conclusion that the conditions of section 20 exist in the semi-trailer sector was the GOC's control over steel inputs. More recently, the CBSA found that the GOC's control in the prices of steel plate, a primary input in the production of Wind Towers, resulted in the distortion of prices in the wind tower sector.⁹

In *Stainless Steel Sinks*, the CBSA explained how the GOC's control of the main inputs for stainless steel sinks impacted the prices of stainless steel sinks:

- "The GOC's control in the flat-rolled sector likely influences the price of stainless steel sheets/coils contributing to the section 20 conditions in the stainless steel sink sector and indirectly impacts the prices of stainless steel sinks. As a result, the domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market."¹⁰
- "The GOC's control over the production levels of its domestic steel and stainless steel producers lead to the selling prices of these goods being distorted. As a result, the domestic selling prices of downstream products

⁹ [Stainless steel sinks \(SSS 2025 UP1\)](#), Notice of Conclusion of Administrative Review dated October 31, 2025.

¹⁰ *Ibid.*

such as stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market.”¹¹

- “The significant presence of state-owned and controlled enterprises in the production and supply of stainless steel suggests that the GOC will have an impact on the selling of stainless steel and that the selling decisions of stainless steel may be based on non-market factors, such as meeting GOC policy objectives. Therefore, the selling prices set by these state-owned stainless steel manufacturers may not be at market prices, which can cause an impact on the selling prices of stainless steel sinks in China.”¹²

- “The GOC’s control and ownership of stainless steel manufacturers leads to the selling prices of stainless steel being distorted in China. As a result, producers of stainless steel sinks may acquire stainless steel at distorted prices, which has direct impact on the costs of production and therefore the selling prices of stainless steel sinks. Ultimately, the domestic selling prices of stainless steel sinks may not be substantially the same as they would be if they were determined in a competitive market.”¹³

- “Subsidization of stainless steel production effectively permits the GOC to influence the price of downstream products such as stainless steel sinks as producers can purchase input materials at less than fair market value and lower their cost of production. In short, these subsidies distort the domestic selling price of stainless steel in China. As a result, the domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market.”¹⁴

- “The GOC has taken several and persistent measures to ensure control with respect to raw materials for steelmaking. By intervening in upstream raw material inputs, the GOC can effectively influence the prices of downstream products.”¹⁵

- “The CBSA finds that these measures demonstrate the GOC’s influence on steel production, including stainless steel, particularly by distorting the prices of iron ore. As a result of these measures, the GOC creates an environment where domestic prices of steel, including stainless steel, are artificially low, which benefit the producers of stainless steel sinks. As a result, the domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market”¹⁶

- “The CBSA finds that these measures taken demonstrate the GOC’s influence on steel production, including stainless steel, particularly by distorting the prices of nickel. As a result of these measures, the GOC creates an environment where domestic prices of steel, including stainless steel, are artificially low, which benefit the producers of stainless steel sinks. As a

¹¹ *Ibid* (emphasis added).

¹² *Ibid* (emphasis added).

¹³ *Ibid* (emphasis added).

¹⁴ *Ibid* (emphasis added).

¹⁵ *Ibid*.

¹⁶ *Ibid* (emphasis added).

result, the domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market.”¹⁷

- “The CBSA finds that these measures taken demonstrate the GOC’s influence on steel production, including stainless steel, particularly by distorting the prices of chromium. As a result of these measures, the GOC creates an environment where domestic prices of steel, including stainless steel, are artificially low, which benefit the producers of stainless steel sinks. As a result, the domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market.”¹⁸

- “The CBSA finds that these measures taken demonstrate the GOC’s influence on steel production, including stainless steel, particularly by distorting the prices of coal and electricity. As a result of these measures, the GOC creates an environment where domestic prices of steel, including stainless steel, are artificially low, which benefit the producers of stainless steel sinks. As a result, the domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market.”¹⁹

In *Fabricated Steel Components* (FISC), the CBSA found that, through control of the steel industry, the GOC influenced the prices of steel inputs and therefore indirectly influenced the prices in the fabricated structural steel sector, including FISC.²⁰ Further, the CBSA examined state ownership of the steel industry and found that because state-owned companies supplied the raw material inputs for FISC, the GOC indirectly determined the prices of FISC in China.²¹

Following the CBSA’s reasoning in prior investigations, Cello submits that as a result of the GOC’s control and subsidization of the copper industry, Chinese producers of CPF may acquire inputs at distorted prices, directly impacting the cost of production and therefore the selling price of CPF in China.

¹⁷ *Ibid* (emphasis added).

¹⁸ *Ibid* (emphasis added).

¹⁹ *Ibid* (emphasis added).

²⁰ [Certain Fabricated Industrial Steel Components](#), Statement of Reasons dated May 10, 2017, at para. 111.

²¹ [Certain Fabricated Industrial Steel Components](#), Statement of Reasons dated May 10, 2017, at para. 146.

(a) Chinese Government Industrial Planning

As identified in recent CBSA investigations, the GOC has instituted “a complex system of industrial planning which affects all economic activities within the country.”²² This industrial planning system impacts the copper industry and, as such, the GOC’s policies indirectly affect the price of CPF in China.

In *Wire Rod*, the CBSA found that the GOC’s *14th Five-Year Plan for National Economic and Social Development and Long Range Objectives for 2035* (*14th Five-Year Plan*) supported a finding that section 20 conditions exist in China.²³ As the CBSA noted in *Wire Rod*²⁴ and *Wind Towers*²⁵, the *14th Five-Year Plan* “calls for greater involvement of [state-owned enterprises] in the development of the Chinese economy”. The following extract from the *14th Five-Year Plan*, which covers the years 2021–2025, illustrates its breadth and ambition:

Centered on the strategy of serving the country, we will persist in both advancing and retreating, both taking action and being inactive, accelerate the layout optimization, structural adjustment, and strategic reorganization of the state-owned sector, enhance the competitiveness, innovation, control, influence, and anti-risk capabilities of the state-owned sector, and strengthen and optimize state-owned capital and SOEs. We will give full play to the strategic supporting role of the state-owned sector, encourage the state-owned sector to further focus on functions such as strategic security, industry leadership, the national economy and the people’s livelihoods, and public services, adjust and revitalize inventory assets, optimize the allocation of incremental capital, concentrate on important industries that are related to national security and the lifelines of the national economy, concentrate on important industries related to the national economy and the people’s livelihoods, such as those involved in the provision of public services, emergency capacity building, and public welfare, and concentrate on forward-looking strategic emerging industries. For state-owned entities in fully competitive sectors, we will strengthen capital gains targets and hard financial constraints, enhance liquidity, and improve the optimized allocation mechanisms of state-owned capital. We will establish long-term mechanisms for layout and structural adjustment and dynamically publish

²² [Wire Rod \(WR 2024 IN\)](#), Statement of Reasons dated 19 September 2024 (“Wire Rod”), at para. 100.

²³ *Ibid.*, at para. 106.

²⁴ *Ibid.*, at para. 102.

²⁵ [Wind Towers \(WT 2023 IN\)](#), Statement of Reasons dated 2 November 2023 (“Wind Towers”), at para. 77.

guidance for the optimization and structural adjustment of the state-owned sector.²⁶

The 14th Five-Year Plan repeatedly references strategies for the development and production of mineral resources and non-ferrous metals (which includes copper). This demonstrates that the GOC maintains influence over the copper industry and the copper market.

“We will transform and upgrade traditional industries, promote the optimization and structural adjustment of raw material industries such as petrochemicals, steel, nonferrous metals, and building materials, expand the supply of high-quality products in sectors such as light industry and textiles, speed up the transformation and upgrading of enterprises in key industries such as the chemical industry and papermaking, and improve the green manufacturing system.”²⁷

“We will improve the level of development and protection of mineral resources, develop a green mining industry, and build green mines.”²⁸

“We will implement clean production transformations for 850 million tons of cement clinker, 460 million tons of coking capacity, and about 4,000 kilns in the non-ferrous industry, complete ultra-low emission transformation for 530 million tons of steel production capacity, carry out governance and transformation for volatile organic compounds in key industries such as petrochemicals, chemicals, coatings, medicine, and packaging and printing, and promote the clearing of disaggregated coal in key areas for air pollution prevention and control.”²⁹

“We will promote demonstrations of the safe use of agricultural land in 100 counties with large soil pollution areas, focus on the chemical and non-ferrous metal industries, and implement 100 soil pollution source control projects.”³⁰

“We will strengthen the planning and control of strategic mineral resources, improve reserve security capabilities, and implement a new round of breakthrough strategic initiatives for prospecting.”³¹

²⁶ *Outline of the People's Republic of China 14th Five-Year Plan for National Economic and Social Development and Long-Range Objectives for 2035*, (English translation) https://cset.georgetown.edu/wp-content/uploads/t0284_14th_Five_Year_Plan_EN.pdf Attachment 3.

²⁷ *Ibid.*, at p. 21 (emphasis added).

²⁸ *Ibid.*, at p. 96 (emphasis added).

²⁹ *Ibid.*, at p. 97 (emphasis added).

³⁰ *Ibid.*, at p. 98 (emphasis added).

³¹ *Ibid.*, at p. 126 (emphasis added).

Further, as explained by the WTO in its 2024 Trade Policy Review of China: “For the current Five-Year Plan (2021–2025) [the 14th Five-Year Plan], China has enhanced the monitoring of prices of copper, iron, crude oil, and natural gas.”³²

In a similar vein, the CBSA has identified *Made in China 2025* as “a strategic plan to reduce China’s dependence on foreign technology and promote Chinese technological manufacturers in the global marketplace through setting explicit targets, government subsidies, and the mobilization of SOEs.”³³ *Made in China 2025* highlights how the Chinese government intends to maintain an influence over markets. Basic principles identified in the plan include: “Let the market lead with government guidance” and “Persist in combining developing the entire nation’s manufacturing industry as one game of chess and providing categorized guidance”.³⁴

As part of the *Made in China 2025* objectives, China aimed to increase its independence in core basic components and key basic materials. China aimed to achieve “independent assurance” of 40% of the supply by 2020, “gradually easing the situation in which such components are controlled by others” and achieve “independence assurance” of 70% of the supply by 2025.³⁵ As copper is a key basic material (it is listed as a strategic mineral in the GOC’s *National Mineral Resources Planning (2016–2020)* plan³⁶), *Made in China 2025* suggests that the GOC plans to guide the market to increase China’s control of copper supply.

The GOC has developed and implemented various plans that highlight its influence and control of the domestic copper market. The following non-exhaustive list provides an overview of China’s control over the domestic copper market.

In the *National Mineral Resources Plan* for 2016–2020, China explained that it would “develop copper industry clusters, stabilize copper production capacity at 600,000–700,000 tons/year [...] Build new copper and nickel bases [...], and

³² 2024 WTO Trade Policy Review of China at para. 3.184 <https://www.wto-ilibrary.org/content/books/9789287082596/read> Attachment 4.

³³ *Wire Rod*, *supra*, at para. 114.

³⁴ *Notice of the State Council on the Publication of “Made in China 2025”* at p. 6, (English translation) <https://cset.georgetown.edu/publication/notice-of-the-state-council-on-the-publication-of-made-in-china-2025/> Attachment 5.

³⁵ *Ibid.*, at p. 15.

³⁶ China, National Development and Reform Commission, *National Mineral Resources Planning (2016–2020)* (published: May 11, 2017) https://www.ndrc.gov.cn/fggz/fzzlgh/gjjzxgh/201705/t20170511_1196755.html [Google translate] Attachment 6.

strive to increase copper supply capacity by 80,000–100,000 tons/year.” In addition, China outlines that it will “[l]everage the supporting services of basic geological surveys to promote mining investment and cooperation between Chinese companies and countries along the Belt and Road”, focusing on minerals including copper;³⁷

In November 2022, China unveiled a plan to lower the carbon emissions of its non-ferrous metals industry. The plan stipulated that “recycled metal will account for more than 24% of the total supply of non-ferrous metals in the country” during the period of the 14th Five-Year Plan (2021–2025);³⁸

In 2023, China’s Ministry of Industry and Information Technology (MIIT) launched growth stabilizing plans for a number of industries, including non-ferrous metals. The work plans set production increase targets of approximately 5% for non-ferrous metals and “will implement measures covering four aspects including stepping up the supply capacity, intensifying technological upgrading, upgrading consumption and optimizing trade” and “proposed a range of measures backed by extensive government support;”³⁹

In 2024, China issued an action plan for the raw materials industry and announced it would upgrade standards over the next three years. China aimed “to move the sector toward a higher-end supply, improve its structure, expand its green development, increase its digitalization, and create a safer industry system”;⁴⁰

In February 2025, China issued a 2025–2027 development plan for the copper industry that added restrictions on new copper smelters to address overcapacity. The new restrictions required companies to control enough mine supply to feed the proposed new copper smelters.⁴¹ “[T]he government will encourage smelters to sign long-term supply agreements with global miners, increase imports of copper blister and anode copper, and promote scrap copper recycling to optimize the supply chain of copper resources.”⁴² China also announced it

³⁷ China, National Development and Reform Commission, *National Mineral Resources Planning (2016–2020)* (published date: May 11, 2017) https://www.ndrc.gov.cn/fggz/fzzlgh/gjjzxgh/201705/t20170511_1196755.html [Google translate] Attachment 6.

³⁸ Yiwen Ju, *China issues plan for non-ferrous metals industry to comply with peak carbon emissions goals*, Fastmarkets (November 18, 2022) <https://www.fastmarkets.com/insights/china-issues-plan-for-non-ferrous-metals-industry-to-comply-with-peak-carbon-emissions-goals/> Attachment 7; CGTN, *China lays out nonferrous metals industry’s carbon peak path by 2030* (November 14, 2022) <https://news.cgtn.com/news/2022-11-15/China-lays-out-nonferrous-metals-industry-s-carbon-peak-path-by-2030-1eZ9zxQTybC/index.html> Attachment 8.

³⁹ Mysteel, *MIIT Rolled Out Plans for Stabilizing Growth in Ten Key Industries* (October 20, 2023) <https://www.mysteel.net/analysis/5044233-miit-rolled-out-plans-for-stabilizing-growth-in-ten-key-industries> Attachment 9; Global Times, *China issues work plan to stabilize industrial growth for non-ferrous metals* (August 25, 2023) <https://www.globaltimes.cn/page/202509/1344713.shtml> Attachment 10.

⁴⁰ The State Council, The People’s Republic of China, *China moves to upgrade raw materials industry* (December 18, 2024) https://english.www.gov.cn/news/202412/18/content_WS676207b3c6d0868f4e8ee10a.html Attachment 11.

⁴¹ Bloomberg News, *China tightens rules on new copper smelters to curb overcapacity*, Mining.com (February 12, 2025) <https://www.mining.com/web/china-tightens-rules-on-new-copper-smelters-to-curb-overcapacity/> Attachment 12.

⁴² SunSirs: China Tightens Rules for New Copper Smelters to Curb Domestic Overcapacity (February 13, 2025) <https://www.sunsirs.com/commodity-news/petail-22818.html> Attachment 13.

aimed to increase its copper ore reserves by 5 to 10% by 2027 and increase its level of recycled copper utilization.⁴³

In September 2025, the GOC unveiled a plan “to support the growth of the non-ferrous metals industry” for 2025 and 2026. The plan targets “an average annual growth of around 5 percent in the sector’s value-added output”. In addition, “China is also rolling out a series of stabilization measures targeting 10 key industries”, including non-ferrous metals.”⁴⁴

(b) Ongoing State Determination of Copper Prices

In addition to overarching GOC policies, there is reliable evidence that multiple current GOC actions continue to determine and manage copper prices in China. The GOC continues to maintain strong control over the Chinese copper industry and market through the heavy presence of Chinese state-owned enterprises in the copper market, detailed governmental development plans encompassing various aspects of the copper industry, and by facilitating strategic investments in copper mines abroad through favourable financing and focusing the financing opportunities to state-owned enterprises.

As demonstrated below, the GOC influences the price of CPFs in China through control at each stage of the upstream inputs, from mining, smelting, copper cathode/anode, and copper tube, as well as through direct subsidies to the CPF industry. As a result of the GOC’s control and influence over the domestic market of copper inputs, the domestic pricing of CPF is not substantially the same as it would be if it was determined in a competitive market.

(i) GOC Control of Copper Mining

The GOC has made significant investments in copper mining projects abroad, particularly through operation of state-owned enterprises. In doing so, China has been securing control of copper resources and can influence the market based on China’s strategic objectives.

⁴³ The State Council Information Office, The People’s Republic of China, *China to promote high-quality development in copper industry* (February 12, 2025) http://english.scio.gov.cn/pressroom/2025-02/12/content_117708648.html Attachment 14.

⁴⁴ The State Council of the People’s Republic of China, *China unveils plan to support growth of non-ferrous metals industry* (September 28, 2025), https://english.www.gov.cn/english.www.gov.cn/news/202509/28/content_WS68d92363c6d00ca5f9a06832.html Attachment 15.

The GOC's control of the copper mining sector may lead to artificially lower input costs for CPF producers, directly impacting their cost of production and the selling price of CPF in China. As noted above, in *Stainless Steel Pipe*, the CBSA considered the GOC's influence on the price distortion of iron ore, nickel, chromium, coal, and electricity as supporting the conclusion that domestic selling prices of stainless steel sinks in China may not be substantially the same as they would be if they were determined in a competitive market.⁴⁵

China is highly dependent on imports for copper; in 2020 over 70% came from foreign imports.⁴⁶ As a result, China has pursued significant mining investments in developing regions such as Africa, Latin America, and South-East Asia through its state-owned enterprises with government political support.⁴⁷ In 2023, China's investments in overseas metals and mining reached a record US\$19.4 billion.⁴⁸

State-owned enterprises occupy a large part of the Chinese copper mining market, which allows the GOC to maintain strong control over the market. The following non-exclusive list identifies players in the Chinese copper mining industry that are either state-owned or significantly controlled by the GOC.

- MMG is a producer of metals including copper and zinc.⁴⁹ MMG owns Khoemacau (a copper silver mine in Botswana)⁵⁰, Kinsevere (a copper mine in the Democratic Republic of the Congo)⁵¹, and Roseberry (a zinc, copper, lead, and gold mine in Australia)⁵², and is in a joint venture with CITIC Metal for the Las Bambas copper, gold, silver, and molybdenum mine in Peru⁵³. MMG's major shareholder is China Minmetals H.K. (Holdings) Limited, a subsidiary

⁴⁵ [Stainless steel sinks \(SSS 2025 UP1\)](#), Notice of Conclusion of Administrative Review dated October 31, 2025.

⁴⁶ J. Zhou and A. Månberger, *Critical Minerals and Great Power Competition: An Overview* at p. 9, Stockholm International Peace Research Institute (October 2024) https://www.sipri.org/sites/default/files/2024-11/critical_minerals.pdf Attachment 16.

⁴⁷ J. Zhou and A. Månberger, *Critical Minerals and Great Power Competition: An Overview* at p. 11, Stockholm International Peace Research Institute (October 2024) https://www.sipri.org/sites/default/files/2024-11/critical_minerals.pdf Attachment 16.

⁴⁸ J. Zhou and A. Månberger, *Critical Minerals and Great Power Competition: An Overview* at p. 11, Stockholm International Peace Research Institute (October 2024) https://www.sipri.org/sites/default/files/2024-11/critical_minerals.pdf Attachment 16; IEA, *Global Critical Minerals Outlook 2025* at p. 271 <https://iea.blob.core.windows.net/assets/ef5e9b70-3374-4caa-ba9d-19c72253bfc4/GlobalCriticalMineralsOutlook2025.pdf> Attachment 17.

⁴⁹ MMG, *Who we are* <https://www.mmg.com/who-we-are/> Attachment 18a.

⁵⁰ MMG, *Koemacau* <https://www.mmg.com/our-business/khoemacau/> Attachment 18b.

⁵¹ MMG, *Kinsevere* <https://www.mmg.com/our-business/kinsevere/> Attachment 18c.

⁵² MMG, *Roseberry* <https://www.mmg.com/our-business/roseberry/> Attachment 18d.

⁵³ MMG, *Las Bambas* <https://www.mmg.com/our-business/las-bambas/> Attachment 18e.

- of China Minmetals Corporation, which is one of China’s “major multinational state-owned enterprises.”⁵⁴
- Zijin Mining Group “is one of the major copper producers worldwide with the highest production growth in mine-produced copper, maintaining an average compound annual growth rate of 24% for mine-produced output over the past 5 years.”⁵⁵ Zijin Mining Group’s largest shareholder is the Minxi Xinghang State-owned Assets Investment Company Limited, with a 22.89% share in 2024.⁵⁶
 - PauAust Limited is a copper and gold producer in Laos. PauAust Limited is an Australian incorporated company owned by Guangdong Rising H.K. (Holding) Limited, which is a wholly owned subsidiary of Guangdong Rising Holding Group, “a Chinese state-owned company regulated under the State-owned Assets Supervision and Administration Commission, the People’s Government of the Guangdong Province of China”.⁵⁷
 - Yunnan Copper Co. Ltd. manages six copper mines and six copper smelters.⁵⁸ Yunnan Copper Co. Ltd. is a controlled subsidiary of Aluminum Corporation of China (“Chinalco”), a “state-owned enterprise directly supervised by the central government and with a pilot state-owned capital investment company.”⁵⁹
 - China Daye Non-Ferrous Metals Mining Limited “specializes in the exploration and development of non-ferrous mines” and owns five copper mines in Hubei Province and the Xinjiang Uygur Autonomous Region. It is a state-owned enterprise.⁶⁰
 - CITIC Metal is a bulk commodity trading and mining investment company. Recognizing that China was heavily reliant on foreign sources of copper because it lacked domestic copper resources, “CITIC Metal engaged in strategic investments of copper assets”, including the “Las Bambas copper mine in Peru and Ivanhoe Mines Ltd with its underlying famous asset Kamo-a-Kakula Copper Mine [...] in the Democratic Republic of the Congo.”⁶¹ CITIC Metal is a subsidiary of CITIC Group, which is owned by the Chinese Ministry of Finance.⁶²
 - China Nonferrous Mining Co., Ltd. is a “vertically integrated industrial chain covering copper product mining, mineral processing, hydrometallurgy,

⁵⁴ MMG, *Company Overview* <https://www.mmg.com/who-we-are/company-overview/> Attachment 18f.

⁵⁵ Zijin Mining Group Company Limited, *Annual Report 2024* at page 33
<https://www.zijinmining.com/upload/file/2025/04/25/3091791b98ac4361a5de4a3a393cec49.pdf> Attachment 19.

⁵⁶ Zijin Mining Group Company Limited, *Annual Report 2024* at p. 89
<https://www.zijinmining.com/upload/file/2025/04/25/3091791b98ac4361a5de4a3a393cec49.pdf> Attachment 19.

⁵⁷ PanAust, *Company profile* <https://panaust.com.au/about-us/company-profile/> Attachment 20.

⁵⁸ Yunnan Copper Corporation Ltd., *LBMA RSG Compliance Report (2023) For YUNNAN COPPER CORPORATION LTD.* at p. 4 <https://ynty.chinalco.com.cn/xxzx/gsyj/202403/P020240328537731615015.pdf> Attachment 21.

⁵⁹ Aluminum Corporation of China, *Overview* https://www.chinalco.com.cn/en/en_gywm/en_qyjj/ Attachment 22.

⁶⁰ China Daye Non-Ferrous Metals Mining Limited, *About Us* <https://www.hk661.com/html/index.php>, Attachment 23; China Daye Non-Ferrous Metals Mining Limited, *Company Overview* https://www.hk661.com/html/about_profile.php Attachment 24.

⁶¹ CITIC Metal, *Business Scope: Copper* https://www.metal.citic/en/business/details_17_36.html Attachment 24.

⁶² CITIC Limited, *About Us* <https://www.citic.com/en/aboutus/history/> Attachment 26.

pyrometallurgy, and sales” and has abundant copper and cobalt reserves in Zambia.⁶³ It is a Chinese state-owned enterprise managed directly by the State-owned Assets Supervision and Administration Commission.⁶⁴

- As described by the CBSA in *Certain Copper Tube*, “Tongling Non-Ferrous Metal Corp. (Tongling Corp) is a large-scale enterprise that engages mainly in copper mining, mineral processing, smelting, refining and copper products processing. There is information available that indicates the company receives special support from the GOC and receives preferential support from the Anhui Provincial government”.⁶⁵

Copper is of particular interest to China, and copper mining operations attracted the largest investments, compared to other mineral types. Between 2000 and 2021, China provided \$47.3 billion (2021 constant USD) in financing for copper mining operations in 17 low- and middle-income countries, which represented 83% of all commitments.⁶⁶ Twelve of the fourteen mine acquisitions by Chinese state-owned creditors between 2000 and 2021 involved copper mines.⁶⁷ For example, China has made significant strategic investments in copper mining in the Democratic Republic of the Congo and, by 2022, Chinese companies controlled approximately 72% of the copper and cobalt mines in the country.⁶⁸

One vehicle through which China has invested in copper mining is China’s Belt and Road Initiative (“BRI”). The BRI is “a Chinese government-sponsored infrastructure and investment program aimed at strengthening economic ties between China and other

⁶³ China Nonferrous Mining Corporation Limited, *China Nonferrous Mining Industry* (Stock Code L 01258.HK on the Hong Kong Stock Exchange <https://www.cnmc.net/en/> Attachment 27.

⁶⁴ China Nonferrous Mining Corporation Limited, *China Nonferrous Mining Industry* (Stock Code L 01258.HK on the Hong Kong Stock Exchange <https://www.cnmc.net/en/> Attachment 27.

⁶⁵ [Certain Copper Tube Originating in or Exported from The Federative Republic of Brazil, The Hellenic Republic, The People's Republic of China, The Republic of Korea and The United Mexican States](#), Statement of Reasons dated 3 December 2013 at para. 112 (“Copper Tube”).

⁶⁶ Escobar, B., Malik, A. A., Zhang, S., Walsh, K., Joosse, A., Parks, B. C., Zimmerman, J., & R. Fedorochko. (2025). *Power Playbook: Beijing’s Bid to Secure Overseas Transition Minerals* at pp. 20, 22. Williamsburg, VA: AidData at William & Mary https://docs.aiddata.org/reports/china-transition-minerals-2025/FULL_REPORT_Power_Playbook.pdf Attachment 28.

⁶⁷ Escobar, B., Malik, A. A., Zhang, S., Walsh, K., Joosse, A., Parks, B. C., Zimmerman, J., & R. Fedorochko. (2025). *Power Playbook: Beijing’s Bid to Secure Overseas Transition Minerals* at p. 59. Williamsburg, VA: AidData at William & Mary https://docs.aiddata.org/reports/china-transition-minerals-2025/FULL_REPORT_Power_Playbook.pdf Attachment 28.

⁶⁸ Carballo, A.E., Davas-Fahey, R. & Hill, C., *Digging Deeper: Understanding the Global Chinese Mining Sector* at p. 19, Transparency International Australia (2024) [citations omitted] https://transparency.org.au/wp-content/uploads/2024/11/Digging-Deeper_Global-Chinese-Mining-Sector_2024.pdf Attachment 29.

countries in Asia, Europe, Latin America, the Pacific, and Africa.” Through the BRI, Chinese companies have invested in mineral resources such as copper mines in Peru.⁶⁹

China’s mining investments are mainly focused on state-controlled companies. State-owned entities received 87% of the acquisition lending for transition minerals (copper, cobalt, lithium, nickel, and 17 rare earth element minerals) in low- and middle-income countries between 2000 and 2021.⁷⁰

China offers subsidized credit, which allows Chinese companies to gain a competitive edge over Western companies.⁷¹ Access to relatively cheap credit allows Chinese companies “to secure critical mineral deposits when the prices of the underlying resources are low, which helps maximize long-term returns.”⁷²

While mining companies in Western countries often have difficulty securing credit to establish and expand transition mineral operations in developing countries, Beijing eases this burden for its companies by consistently offering subsidized credit at various stages of the investment process, including mine acquisition, mine development, and mine operation.⁷³

China’s commitment to facilitate securing Chinese access to copper supply is illustrated in the example of a Chinese state-owned entity’s purchase of the American company Freeport-McMoran’s controlling stake in two copper and cobalt mining projects in the Democratic Republic of the Congo:

Freeport-McMoran’s 2016 withdrawal from the DRC [Democratic Republic of the Congo] is a case in point. After pouring billions of dollars into the Tenke

⁶⁹ Carballo, A.E., Davas-Fahey, R. & Hill, C., *Digging Deeper: Understanding the Global Chinese Mining Sector* at p. 17, Transparency International Australia (2024) [citations omitted] https://transparency.org.au/wp-content/uploads/2024/11/Digging-Deeper_Global-Chinese-Mining-Sector_2024.pdf Attachment 29.

⁷⁰ Escobar, B., Malik, A. A., Zhang, S., Walsh, K., Joosse, A., Parks, B. C., Zimmerman, J., & R. Fedorochko. (2025). *Power Playbook: Beijing’s Bid to Secure Overseas Transition Minerals* at pp. 1, 58. Williamsburg, VA: AidData at William & Mary https://docs.aiddata.org/reports/china-transition-minerals-2025/FULL_REPORT_Power_Playbook.pdf Attachment 28.

⁷¹ Escobar, B., Malik, A. A., Zhang, S., Walsh, K., Joosse, A., Parks, B. C., Zimmerman, J., & R. Fedorochko. (2025). *Power Playbook: Beijing’s Bid to Secure Overseas Transition Minerals* at p. 70. Williamsburg, VA: AidData at William & Mary https://docs.aiddata.org/reports/china-transition-minerals-2025/FULL_REPORT_Power_Playbook.pdf Attachment 28.

⁷² Landry, D., *Chinese Mining Investment Globally: Who, Where, and How?* at p. 8 (May 21, 2025). Available at SSRN: <https://ssrn.com/abstract=5212972> or <http://dx.doi.org/10.2139/ssrn.5212972> Attachment 30.

⁷³ Escobar, B., Malik, A. A., Zhang, S., Walsh, K., Joosse, A., Parks, B. C., Zimmerman, J., & R. Fedorochko. (2025). *Power Playbook: Beijing’s Bid to Secure Overseas Transition Minerals* at p. 70. Williamsburg, VA: AidData at William & Mary https://docs.aiddata.org/reports/china-transition-minerals-2025/FULL_REPORT_Power_Playbook.pdf Attachment 28.

Fungurume copper and cobalt mine and the Kisanfu copper and cobalt exploration project, the Arizona-based mining company found itself cash-strapped and deeply in debt, so it put its controlling stake in the two DRC mining operations up for sale. The only competitive bids came from Chinese companies, and ultimately both mining sites were sold to China Molybdenum, a state-owned subsidiary of China Minmetals that was actively seeking to expand its mining operations abroad. China Molybdenum financed the overseas asset acquisition with a \$1.59 billion syndicated loan from CDB, BOC, China CITIC Bank, and China Minsheng Banking Corporation.⁷⁴

Through direct ownership, investments and targeted policies, the evidence indicates that the GOC substantially determines copper prices in China and that control flows through to the domestic prices of CPF.

(ii) GOC Control of Copper Smelting and Copper Products

In addition to the GOC's strategic investments and control of copper mining, the GOC also has significant control of copper smelting and copper products. China's National Food and Strategic Reserves Administration manages the country's official commodities stockpiles. Through timed and deliberate auctioning of reserves, the GOC directly influences copper prices and, in some cases, auctions clear below prevailing market prices.⁷⁵ GOC officials have openly commented that these releases "guide commodity prices" and "boost market supplies."⁷⁶

More recently, the GOC has directly and openly engaged in manipulation of copper prices by regulating smelting capacity.⁷⁷ Moreover, the China Nonferrous Metals Industry

⁷⁴ Escobar, B., Malik, A. A., Zhang, S., Walsh, K., Joosse, A., Parks, B. C., Zimmerman, J., & R. Fedorochko. (2025). *Power Playbook: Beijing's Bid to Secure Overseas Transition Minerals* at pp. 7–8. Williamsburg, VA: AidData at William & Mary https://docs.aiddata.org/reports/china-transition-minerals-2025/FULL_REPORT_Power_Playbook.pdf Attachment 28.

⁷⁵ Mining.com, "China to add cobalt, copper to state metal reserves", <https://www.mining.com/web/china-to-add-cobalt-copper-in-boost-to-state-metal-reserves/> Attachment 31.

⁷⁶ Chinadaily.com, "Fresh moves to stabilize commodities", <https://www.chinadaily.com.cn/a/202107/22/WS60f8dc95a310efa1bd663a67.html> Attachment 32; and yicaiglobal.com, "China May Release More Copper, Aluminum, Zinc from National Reserves to Combat Price Hikes", <https://www.yicaiglobal.com/news/china-may-release-more-copper-aluminum-zinc-from-national-reserves-to-combat-price-hikes> Attachment 33.

⁷⁷ Reuters, "China studies how to regulate copper smelting capacity, industry association says", <https://www.reuters.com/world/china/china-studies-how-regulate-copper-smelting-capacity-industry-association-says-2025-09-25/> Attachment 34.

Association has successfully lobbied for specific measures for strictly controlling the expansion of copper smelting capacity.⁷⁸

The following non-exclusive list identifies players in copper smelting and copper products that are either state-owned or significantly controlled by the GOC.

- Jiangxi Copper is China's largest supplier of refined copper⁷⁹ and copper products, including copper pipe⁸⁰. The State-owned assets Supervision and Administration Commission owns a 90% stake in Jiangxi Copper.⁸¹
- China Nonferrous Mining Co., Ltd., a Chinese state-owned enterprise also involved in copper mining as described above, produces cathode copper, anode copper, and rough copper.⁸²
- Jinchuan Group is "one of the main producers of copper and platinum group metals in the PRC [People's Republic of China]."⁸³ The group ranks third in China for copper production.⁸⁴ Jinchuan Group is a state-owned Chinese enterprise, with majority equity interest owned by the People's Government of Gansu Province.⁸⁵
- Tongling Non-Ferrous Metal Corp. (Tongling Corp), which is involved in copper mining and receives special support from the GOC and preferential support from the Anhui Provincial government as described above⁸⁶, also engages in copper smelting and produces cathode copper and various copper products.⁸⁷

As noted by the CBSA in Copper Tube, "according to the report, *Sustainable Development of the Chinese Copper Market*, the top five Chinese refined copper producers

⁷⁸ *Ibid.*

⁷⁹ Bloomberg News, *Jiangxi Copper sees no respite from ore shortage that's hit fees*, Mining.com (August 28, 2024) <https://www.mining.com/web/jiangxi-copper-sees-no-respite-from-ore-shortage-thats-hit-fees/> Attachment 36.

⁸⁰ Jiangxi Copper Corporation Limited, *Copper* <https://en.jxccc.com/channel/0dd1f627730a46f1b2bb685e545ab8d8.html> Attachment 37.

⁸¹ SMM, *Jiangxi Copper Industry: part of the State-owned Equity transfer of the controlling shareholder* (August 3, 2020) <https://news.metal.com/newscontent/101228834/jiangxi-copper-industry-part-of-the-state-owned-equity-transfer-of-the-controlling-shareholder>, Attachment 38.

⁸² China Nonferrous Mining Corporation Limited, *Main Products* <https://www.cnmc1.net/en/business/products/> Attachment 39.

⁸³ Jinchuan, *Major Shareholder* https://www.jinchuan-intl.com/en/about_us/jinchuan_group.aspx Attachment 40.

⁸⁴ Jinchuan Group Co., Ltd., *The Profile of Jinchuan Group Co., Ltd.* http://en.jnmc.com/2024-10/29/c_973987.htm Attachment 41.

⁸⁵ Jinchuan, *Major Shareholder* https://www.jinchuan-intl.com/en/about_us/jinchuan_group.aspx Attachment 40.

⁸⁶ *Copper Tube*, *supra*, at para. 112.

⁸⁷ Yahoo Finance, *Tongling Nonferrous Metals Group Co., Ltd.* https://ca.finance.yahoo.com/quote/000630.SZ/profile/?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAAJma6w3cBohPnaq59fqLVhFjZN3-6crHVyI2txOrliKKhb8nM1-tke3wnGroJJ8JKrp_AfKNPymWuW50-36eXFHrN5F_oRSKKSwMi4j7wxomDSkr67naetPt-B9j2AkYx4c2O0Dj_hYmhx81HFSOyuLd3GwU_VSBBeBBrfzaXZ6bN Attachment 42.

in terms of output are Jiangxi Copper, Tongling Corp., Yunnan Copper, Jinchuan Group and China Daye, all of which have been identified [...] as state-owned enterprises.”⁸⁸

In addition, the GOC influences the domestic price of copper and copper products through the application of export duties. The WTO’s 2024 Trade Policy Review on China identified that 32 tariff lines (at the HS 8-digit level) relating to copper and articles thereof were subject to statutory export duties at a rate of 30%.⁸⁹ Export duties apply a downward pressure on the volume of exports, thereby increasing the domestic supply of the goods and decreasing domestic prices.

Table 3.10 Export duties by type and HS chapter, 2024

HS chapter	Statutory duties		Interim duties	
	No. of lines	Range (%)	No. of lines	Range (%)
Total	102	20-50	67	0-35
03 Fish and crustaceans	1	20	0	n.a.
05 Products of animal origin, n.e.s.	4	40	1	0
26 Ores, slag and ash	7	20-50	2	0-20
28 Inorganic chemicals	3	20-30	0	n.a.
29 Organic chemicals	1	40	1	0
41 Raw hides and skins	2	20	0	n.a.
72 Iron and steel	17	20-40	0	n.a.
74 Copper and articles thereof	32	30	31	0-15
75 Nickel and articles thereof	4	40	4	5-15
76 Aluminium and articles thereof	24	20-30	23	0-15
79 Zinc and articles thereof	4	20	4	0-15
81 Other base metals	3	20	1	5

n.a. Not applicable.

Note: Tariff lines where export duties are only partially applied are included.

Source: WTO Secretariat, based on data provided by the authorities.

90

In 2010, the US Department of Commerce (“USDOC”) issued its final determination of sales at less than fair value for seamless refined copper pipe and tube from the People’s Republic of China (“PRC”).⁹¹ The USDOC noted that it considers the PRC to be a non-market economy country and that no party to the proceeding had challenged this designation:

The Department considers the PRC to be a non-market economy (“NME”) country. In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by the administering authority. No party has challenged the designation of the PRC as an NME country in this investigation.

⁸⁸ Copper Tube, *supra*, at para. 113.

⁸⁹ 2024 WTO Trade Policy Review of China at para. 3.76 and Table 3.10 <https://www.wto-ilibrary.org/content/books/9789287082596/read> Attachment 4.

⁹⁰ 2024 WTO Trade Policy Review of China at para. 3.76 and Table 3.10 <https://www.wto-ilibrary.org/content/books/9789287082596/read> Attachment 4.

⁹¹ Federal Register, Vol. 75, No. 190, Notices (Friday, October 1, 2010) at p. 60725, Attachment 43.

Therefore, the Department continues to treat the PRC as an NME country for purposes of this final determination.⁹²

As of January 2026, the People's Republic of China remains on the USDOC's list of non-market economy countries.⁹³

(iii) *GOC Control of Copper Tube*

In its *Copper Tube*⁹⁴ investigation, the CBSA conducted a section 20 inquiry covering the Chinese copper sector (which includes copper tube and copper pipe fittings) and made the following findings:

- “domestic prices are substantially determined by the GOC” and that there is sufficient reason to believe those prices “are not substantially the same” as in a competitive market;⁹⁵
- pricing in the copper tube industry is determined by the cost of copper plus fabrications costs and given that the price of copper is affected by GOC policies, domestic prices of copper tube in China are not substantially the same as they would be if they were determined in a competitive market;⁹⁶ and
- the cost of copper can account for up to 95% of the total cost of producing copper tube so any GOC influence of copper prices directly flows through to finished tube prices.⁹⁷

The CBSA's conclusions were based on an examination of various Chinese government industrial policies affecting the copper sector, including Copper Tube. Many of these policies continue to affect the copper sector today. For example, in February 2025, the Ministry of Industry and Information Technology (“MIIT”) introduced stricter regulations for new copper smelters to further control admittance of new entrants into the Chinese smelting sector.⁹⁸ The Plan for Adjustment and Revival of Non-ferrous Metal Industry, which was examined by the CBSA in the Copper Tube case was revised in

⁹² Federal Register, Vol. 75, No. 190, Notices (Friday, October 1, 2010) at p. 60727, Attachment 43.

⁹³ International Trade Administration, Countries Currently Designated by Commerce as Non-Market Economy Countries <https://www.trade.gov/nme-countries-list>, Attachment 44.

⁹⁴ *Copper Tube*, *supra*.

⁹⁵ *Ibid.*, at para. 130.

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*, at para. 60.

⁹⁸ Oilprice.com, “China Tightens Grip on Copper Smelting”, <https://oilprice.com/Metals/Commodities/China-Tightens-Grip-on-Copper-Smelting.html>, Attachment 44b.

September 2025, with the goal of setting new growth targets for the non-ferrous metal industry, including the copper industry.⁹⁹

In the most recent expiry review for copper tube, the CBSA identified Chinese government subsidies to the copper tube industry and made the following comments:

- In the original copper tube subsidy investigation concluded on November 11, 2013, 178 programs were investigated; the CBSA found that copper tube originating in or exported from China has been subsidized and that the amount of subsidy is not insignificant...
- On April 18, 2019, the CBSA determined, in its expiry review, that the expiry of the findings in respect of copper tube from China, is likely to result in the continuation of resumption of subsidizing of the goods...
- According to the WTO Committee on subsidies and countervailing measures, China has submitted new and full notification of information on programs granted or maintained at the central or sub-central level during the period from 2019 to 2020. This notification was dated and circulated on July 13, 2021 at the request of the delegation of China. The information shows that there are 71 subsidies at the central government level and 36 subsidies at the sub-central government level; these subsidies are geared towards supporting a wide variety of Chinese industries.
- The information has not been updated ever since. Consequently, the CBSA is of the opinion that these subsidies programs are still in effect since it would credulous to think otherwise.¹⁰⁰

The CBSA's observations and conclusions are equally applicable here. There is a reasonable basis to believe that the Chinese government continues to heavily subsidize the Copper Tube industry and that those subsidies flow through to Copper Pipe Fittings.

(iv) GOC Control of Copper Pipe Fittings

In the original *Copper Pipe Fittings* subsidy investigation, CBSA identified 18 subsidy programs generally available to CPF producers.¹⁰¹ In the 2010 re-investigation, CBSA determined that CPF producers continue to benefit from the following four programs:

- Exemption of tariff and import VAT for the imported technologies and equipment;

⁹⁹ Mysteel.net, "China issues 2025-2026 action plan to drive growth in non-ferrous metals sector", <https://www.mysteel.net/news/5100183-china-issues-2025-2026-action-plan-to-drive-growth-in-non-ferrous-metals-sector>, Attachment 44c.

¹⁰⁰ *Copper Tube Expiry Review (CT 2024 ER)*, Statement of Reasons dated 24 January 2025 at paras. 203–208.

¹⁰¹ *Copper Pipe Fittings Final Determination* dated 2 February 2007 at paras. 157-167.

- Fund for international market exploration by SMEs;
- Value Added Tax (VAT) exemptions; and
- Tariff exemptions on imported materials.¹⁰²

In the 2023 re-investigation, the CBSA determined that CPF producers/exporters from China benefited from the following subsidy programs:

- Export Development and Performance Grants
- Environment Protection Grant
- Subsidies Related to Employment, Training and Recruitment
- Municipal/Local Income or Property Tax Reductions
- Preferential Tax Policies related to Research and Investment
- Offsets to Taxable Income Related to Purchases of Domestic Machinery
- Design, Research and Development Grants
- Loans from State-Owned Banks and Preferential Rates
- Subsidies Related to Company/Enterprise Development and Innovation
- Subsidies Related to Employment, Training and Recruitment
- Subsidies Related to Pandemic Support
- Subsidies Related to Science and Technology
- Subsidies Related to Talent and Skills
- Subsidies to Provide Business Support¹⁰³

In addition to prior evidence of Chinese government subsidies to the copper sector, Zhejiang Hailiang Co., (“Hailiang”) Ltd. a core Hailiang Group subsidiary and a major producer of copper pipe fittings, disclosed in its Q1 2025 stock exchange filing that it recognized RMB 53,551,458.67 of “government subsidies” in nonrecurring profit/loss for the quarter.¹⁰⁴

(c) Conclusion on Application of Section 20

Cello has provided ample evidence to support the conclusion that Chinese CPF are substantially determined by the GOC and that they are not substantially the same as they would be if they were determined in a competitive market. Through industrial policies, subsidies, government ownership and control, the GOC controls the entire copper value

¹⁰² [Copper Pipe Fittings, Expiry Review Determination](#) dated 22 April 2022 at para. 175-180.

¹⁰³ [Notice of conclusion of a re-investigation: Copper pipe fittings \(CPF 2023 RI\)](#) dated September 8, 2023.

¹⁰⁴ [Zhejiang Hailiang Co. Ltd. Q1 2025 Filing, Attachment 45.](#)

chain such that Chinese prices of CPF should be determined in accordance with section 20 of SIMA.

3. Surrogate Country Selection and Data

Cello submits that the United States is an appropriate surrogate country to China in respect of CPF as it is a market economy to which section 20 conditions do not apply. SIMA does not provide guidance on the selection of an appropriate surrogate country thus giving CBSA wide discretion in its selection. In this case, Cello submits that the United States is an appropriate surrogate for the following reasons.

First, CBSA has previously treated US producers as acceptable surrogate producers. In a recent investigation of OCTG,¹⁰⁵ CBSA sent surrogate producer questionnaires and conducted verifications of US producers, confirming that, as a matter of practice, the US is considered an appropriate surrogate venue when section 20 of SIMA applies. Second, the United States and China had the largest GDP in 2025.¹⁰⁶ In this regard, China and the US represent the most advanced economies in the world and the most comparable in terms of the sizes of their economies. Third, both China and the US have well established CPF industries. US producer Mueller Streamline Co. (“Mueller Streamline”) (part of the Mueller Industries) produces a full range of CPF and their product catalogues cover the full range of subject goods from China.¹⁰⁷ Like Hailiang, Mueller Streamline is an integrated CPF producer and part of a larger group of companies involved in the copper sector worldwide. Critically, [REDACTED]
[REDACTED]
[REDACTED].

There are no publicly available sources on Chinese CPF prices and Cello does not otherwise have access to this type of information. However, Cello has [REDACTED]
[REDACTED]

¹⁰⁵ [Oil country tubular goods \(OCTG 2024 RI\)](#), Reasons dated 31 January 2025.

¹⁰⁶ Statista, “The 20 countries with the largest gross domestic product (GDP) in 2025”, <https://www.statista.com/statistics/268173/countries-with-the-largest-gross-domestic-product-gdp/#:~:text=In%202025%2C%20the%20United%20States,around%2019.23%20trillion%20U.S.%20dollars> Attachment 46.

¹⁰⁷ Muellerstreamline.com Product Catalogue, <https://muellerstreamline.com/?wpdmdl=465> Attachment 47.

[REDACTED]
[REDACTED]]. The price and cost data in [Attachment 48](#) demonstrate

[REDACTED]

[REDACTED]]. The Table below compares the estimated Chinese domestic selling prices for 20 benchmark products with the selling prices and costs of a surrogate producer. In all cases, the data show that estimated selling prices in China are significantly below what they would be if they were determined in a competitive market. Cello recognizes that these data on their own may not be a sufficient basis to estimate normal values pursuant to section 20 of SIMA but they nevertheless do clearly illustrate (without price adjustments) the significant discrepancies among products the production costs of which are primarily based on a traded commodity. The information that Cello has provided strongly supports the initiation of an administrative review in which section 20 is considered and in which CBSA will be in a position to gather the evidence required to determine normal values under that provision.

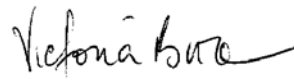
Table 4 – Estimated Chinese Domestic Price – Surrogate Comparison

Benchmark Product	Estimated Chinese Domestic Selling Price USD/piece	Surrogate Country Cost USD/piece	Surrogate Country Price USD/piece	Cost Difference	Price Difference
1/2 C X C X C TEE	██████	██████	██████	25%	51%
1/2 C X C SR 90 ELL	██████	██████	██████	37%	52%
3/4 C X C SR 90 ELL.	██████	██████	██████	31%	49%
1 C X C SR 90 ELL	██████	██████	██████	35%	59%
1-1/4 C X C SR 90 ELL	██████	██████	██████	43%	60%
1/2 FTG X C SR 90 ELL	██████	██████	██████	17%	59%
3/4 FTG X C SR 90 ELL	██████	██████	██████	26%	62%
2-1/2 C X C SR 90 ELL	██████	██████	██████	27%	60%
3 C X C SR 90 ELL	██████	██████	██████	20%	51%
4 C X C SR 90 ELL	██████	██████	██████	27%	53%
1/2 C X C X C TEE	██████	██████	██████	16%	46%
1-1/2 C X C SR 90 ELL	██████	██████	██████	29%	54%
2 C X C SR 90 ELL	██████	██████	██████	31%	56%
2 C X C X C TEE	██████	██████	██████	21%	57%
3/4 C X C 45 ELL	██████	██████	██████	34%	64%
1 C X C X C TEE	██████	██████	██████	18%	65%
3/4 C X 3/4 C X 1/2 C TE	██████	██████	██████	10%	51%
3/4 C X C X C TEE	██████	██████	██████	18%	47%
3/4 C X C COUPLING	██████	██████	██████	17%	41%
2 C X C COUPLING	██████	██████	██████	19%	44%

4. Conclusion

Significant and increasing volumes of imports of dumped CPF fittings from China continue to cause material injury to Cello and [REDACTED]. Cello [REDACTED]. The evidence provided herein more than meets the low evidentiary threshold to support the initiation of a section 20 analysis of normal values for CPF. For all these reasons, Cello requests that CBSA initiate an administrative review on a priority basis and that normal values for Chinese CPF be determined in accordance with section 20 of SIMA.

Yours very truly,



Victoria Bazan