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APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901*  
FOR A REVIEW OF ANTI-DUMPING MEASURES

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In accordance with section 269ZA of the *Customs Act 1901*(the Act), I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1.  **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

- normal value  
 export price  
 non injurious price  
 subsidy

The variable factors review is in relation to:

- a particular exporter (*name and country details on page 2*)  
 exporters generally

*or*

2.  **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

- the dumping duty notice  
 the countervailing duty notice  
 the undertaking

The revocation review is in relation to:

- a particular exporter (*if so provide name and country details*)  
 exporters generally

**NOTE**

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

## EXPORTER

Name: Shengzhou Chunyi Electrical Appliances Co., Ltd  
Country: China  
Local Agent: Austmate International Pty Ltd (ABN 38 062 112 707)

## DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:



Name: Robert van der Riet  
Position: Managing Director  
Company: Milena Australia Pty Ltd  
ABN: 48604156738  
Date: 30 November 2017

## REQUIRED INFORMATION

1. Provide details of the name, street and postal address, of the applicant seeking the continuation.
  - Name: Milena Australia Pty Ltd
  - Post: PO Box 457, Coolum, QLD 4573 Australia
  - Street: 4 Katie Close, Coolum, QLD 4573 Australia
2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.
  - Contact: Robert van der Riet (Managing Director)
  - Email: [robert@milena.com.au](mailto:robert@milena.com.au) | Tel: (07) 5351 1305 | Fax: (07) 5351 1306
3. Name other parties supporting this application.
  - N/A
4. Describe your interest as an affected party.
  - Milena is an importer of the goods and uses them in its own manufacturing process of free standing laundry units and laundry tubs.
5. Provide details of the current anti-dumping measure(s) the subject of this review application, including:
  - a. tariff classification
    - 7324.10.00 (statistical code 52)
  - b. the countries or companies
    - People's Republic of China
  - c. specified date of publication of the measure
    - 26 March 2015 (ANTI-DUMPING NOTICE NO. 2015/41)
6. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter.
  - Tasman Sinkware Pty Ltd (original applicant);
  - The importers the Commission visited during the original investigation; and
  - The exporters the Commission visited during the original investigation.

30 November 2017

The Commissioner of the Anti-Dumping Commission  
Post: GPO Box 1632 MELBOURNE VIC 3001  
Email: [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au)



## APPLICATION FOR REVIEW OF MEASURES – MILENA – DEEP DRAW STAINLESS STEEL SINKS - CHINA

Dear Sir/Madam

Milena Australia Pty Ltd (Milena) is seeking a Review of Measures in regards Deep Drawn Stainless Steel Sinks it imports from China.

Many of the tubs Milena imports are now covered by an Exemption (EX0047) but unfortunately the Exemption does not extend to all products and as such we are forced to again apply for a Review.

The Chinese Exporter - SHENGZHOU CHUNYI ELECTRICAL APPLIANCES CO. LTD (SCEA) and their local agent -- [REDACTED] have committed to respond to all requests for information in this regard. Letters affirming this are attached.

In the opinion of Milena the following factors are established in the documents that are attached:

- normal values, export prices & subsidy
  - The letter from the Exporter as well as the Details of the Shipments show that the Export Prices charged to Milena have been above the Normal Value of the goods.
  - The letter from the Exporter states they have received no subsidy.
  - The Market Spreadsheet shows that the Asian price for Stainless Steel was no longer the cheapest by the end of 2015 (the US was the cheapest for the last 3 months of the year).
    - This shows that pricing in each of the areas has been the result of market forces and not subsidies.
  - The attached quote and historic pricing from a well known and reputable local Australian supplier clearly demonstrates that the price SCEA has paid for Stainless Steel is indeed fair and normal value.
    - This is the price being paid by Australian companies using Stainless Steel and is thus more representative than any data set which is based on EU and US values.
    - Based on this pricing plus with a reasonable allowance for CIF and Markup it is clear that the claimed variance does not exist.

Milena also makes note of the Exchange rates affecting trade between Australia and China and its apparent lack of consideration in Normal Values and Export Prices.

Milena further notes that:

- It has been 12 months since the outcome of the last Review – ADN 2106-107 (17/11/2016).
  - The outcome was a reduction in the effective rate from **52.6%** to **34.33%**.
- The last 2 Duty Assessments have seen a further reduction in the Duties payable:
  - Period 4 - DA0075 did not disclose Dumping Margin and found Subsidy Margin to be **10.18%**.
    - An effective rate of **8.67%** was applied on the Period.
  - Period 5 - DA0086 found Dumping Margin to be **minus 7.0%** and Subsidy Margin to be **0.17%**.
    - An effective rate of **0.02%** was applied on the Period.

Milena requests that Period 5 (DA0086) be used as the primary record of reference for this Review and that the IDD and ICD applicable on its Exporter (SCEA) be changed in line with this - from **34.33%** to **0.02%**.

Please contact Robert van der Riet (details below) if you have any questions.

Yours sincerely



ROBERT VAN DER RIET

Managing Director

| E: 

| M: 

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**Milena Australia Pty Ltd**

Tel: (07) 5351 1305 | Fax: (07) 5351 1306 | Post: PO Box 457, Coolum, QLD 4573 Australia  
ABN 48604156738 | [www.milena.com.au](http://www.milena.com.au)

**APPLICATION FOR DUTY ASSESSMENT – MILENA – DEEP DRAW STAINLESS STEEL SINKS - CHINA**

**SUPPORTING DOCUMENTS**

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1. Letter from SHENGZHOU CHUNYI ELECTRICAL APPLIANCES CO LTD

Factory Address: Xiashitou Sanjie Town, Shengzhou City, Zhejiang, China



**Shengzhou Chunyi Electrical Appliances Co., Ltd.**

ADD: Xiashitou Sanjie Town, Shengzhou, Zhejiang, China  
TEL: +86-575-83087351 FAX: +86-575-83830008  
WEB: www.all-kitchens.com

1/11/2017

THE COMMISSIONER OF THE ANTI-DUMPING COMMISSION  
55 Collins Street  
Melbourne VIC 3000

RE: DEEP DRAWN SINKS SOLD TO MILENA AUSTRALIA PTY LTD

Dear Sir or Madam,

We, SHENGZHOU CHUNYI ELECTRICAL APPLIANCES CO., LTD. in China, are manufacturer to produce the kitchen sinks and laundry tubs. Our products are mainly exported to Europe, Australia and some Asian countries markets, only 5% of our kitchen sinks are sold in Chinese domestic market. Regarding to the laundry tubs which are currently exported to Australia, we exclusively manufacture those tubs for Australia market (Milena), did not sell anywhere else in the world, not in China either. Therefore, our products should not be considered as dumping products.

We received no Subsidy for these products and only Export Rebate of 9% (similar to Australia company not paying GST on export).



During periods shown our Normal Value (US\$) was:

	26 November 2014 – 25 March 2015	26 March 2015 – 25 September 2015	26 September 2015 – 25 March 2017	26 March 2017 – 25 September 2017
CT-45	27.35	25.10	24.90	24.90
BT-45 & BT-45NB	26.85	24.50	24.30	24.30

Since 2014 price of Nickel go down and USD/CNY exchange rate change so prices change.

Australia Anti-Dumping Commission may come visit or ask for further information - we reply to questions in 30 days.



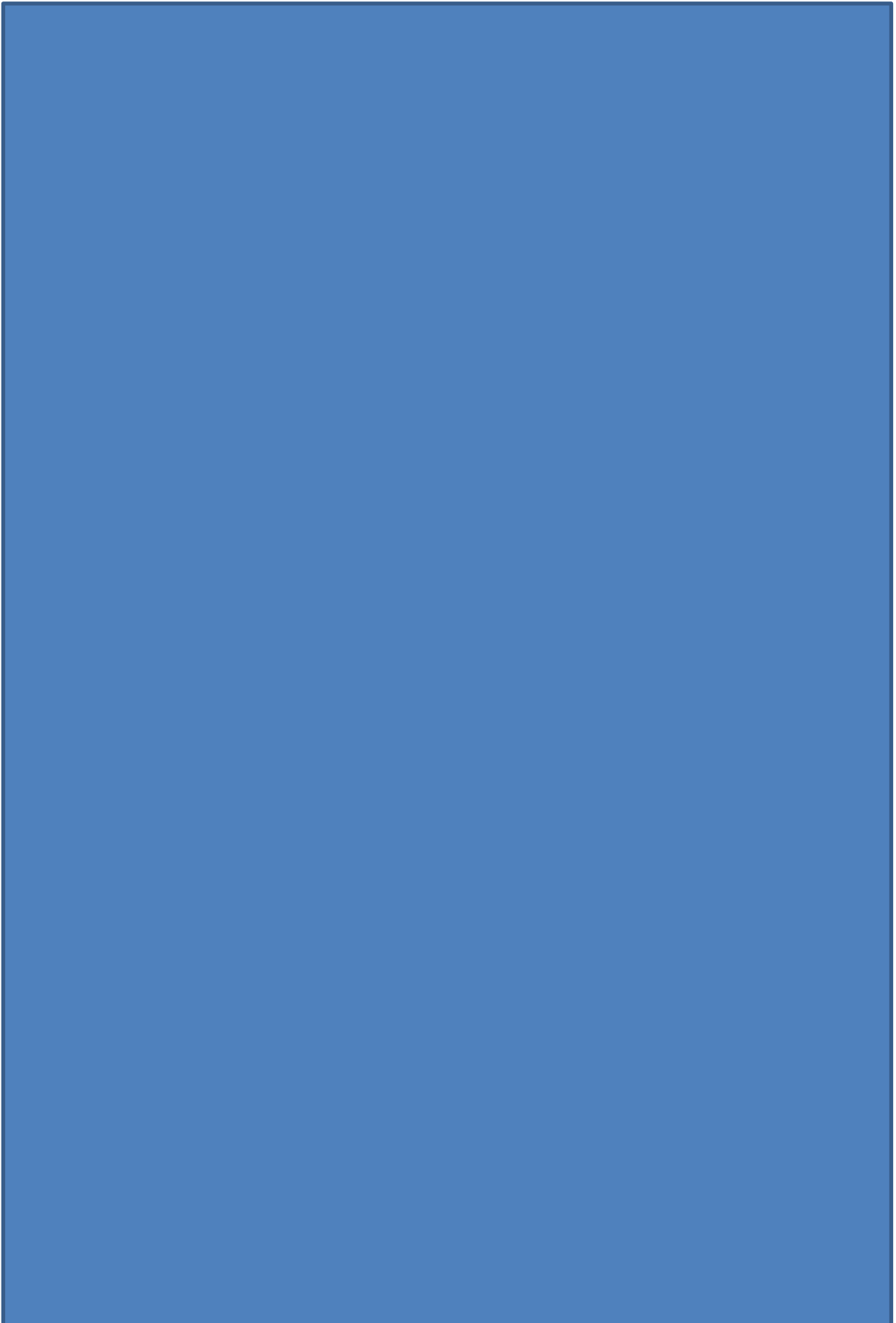
Yours sincerely,



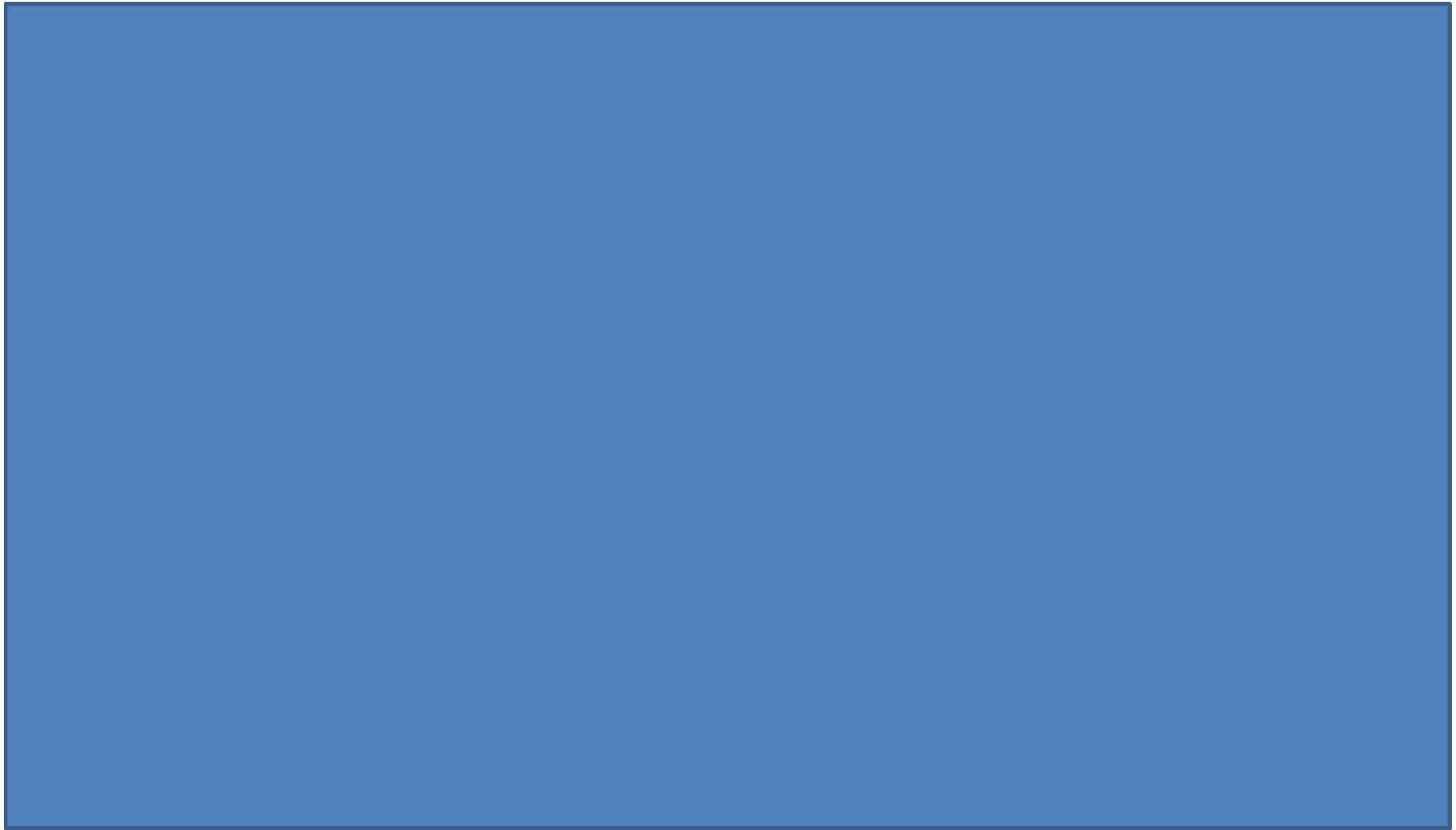
Pelfang Qi  
Director

嵊州市春益电器有限公司  
SHENGZHOU CHUNYI ELECTRICAL APPLIANCES CO.,LTD.

2. Letter from [REDACTED] PTY LTD

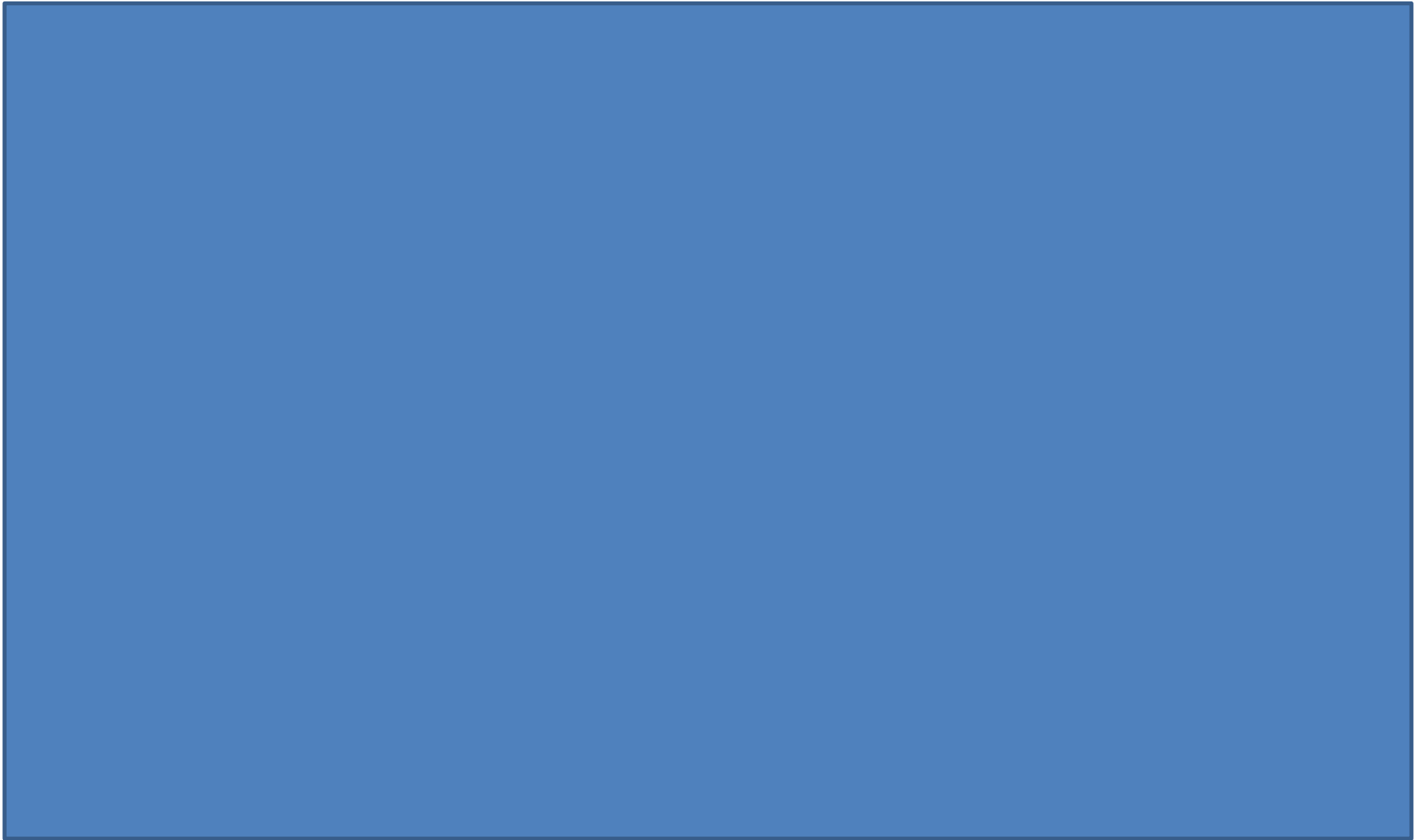


3. Overview of Shipments - Periods 4 and 5





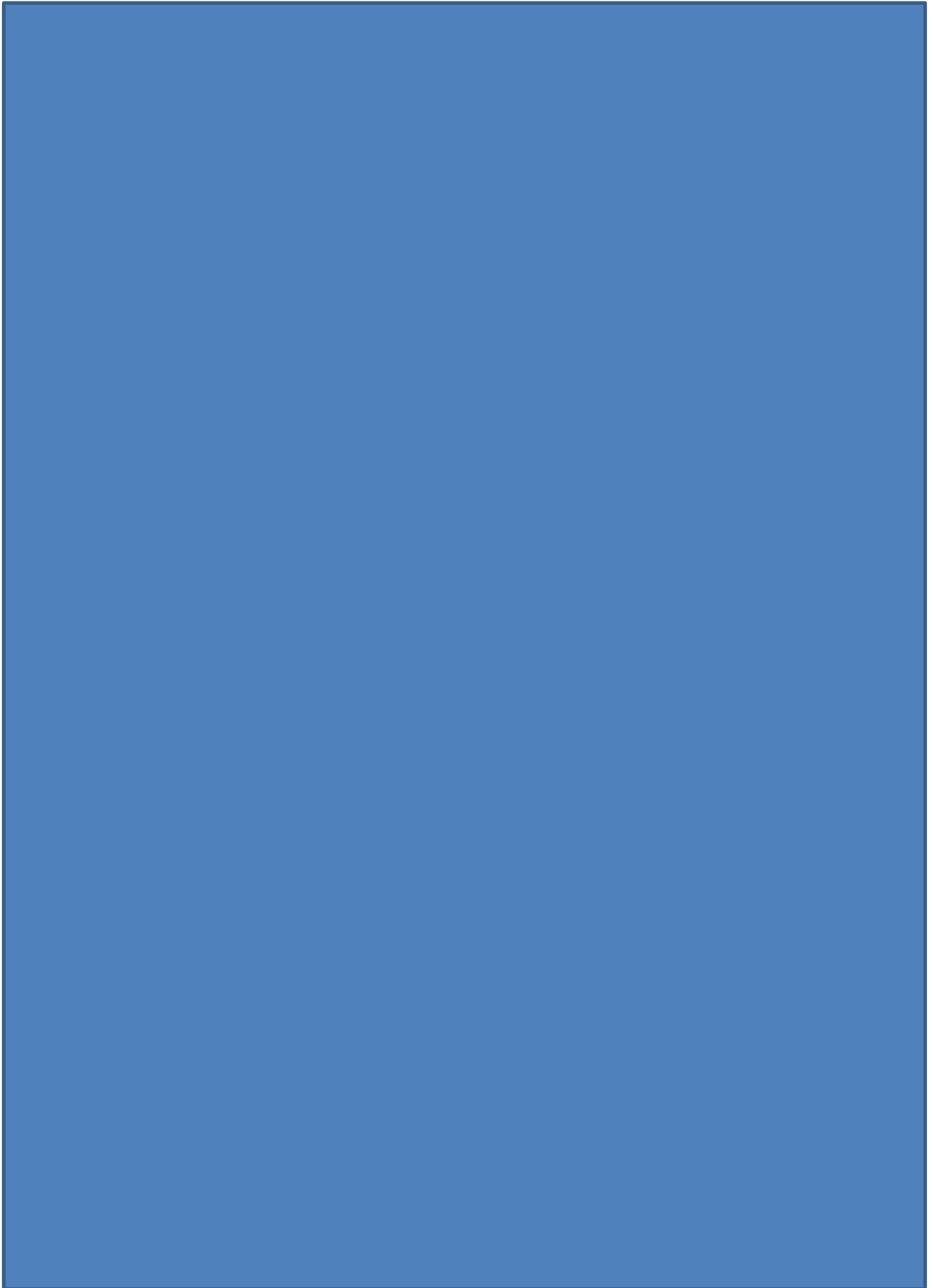
4. Details of Shipments – Periods 4 and 5



5. Details of Normal Value versus Price Paid – Periods 4 and 5

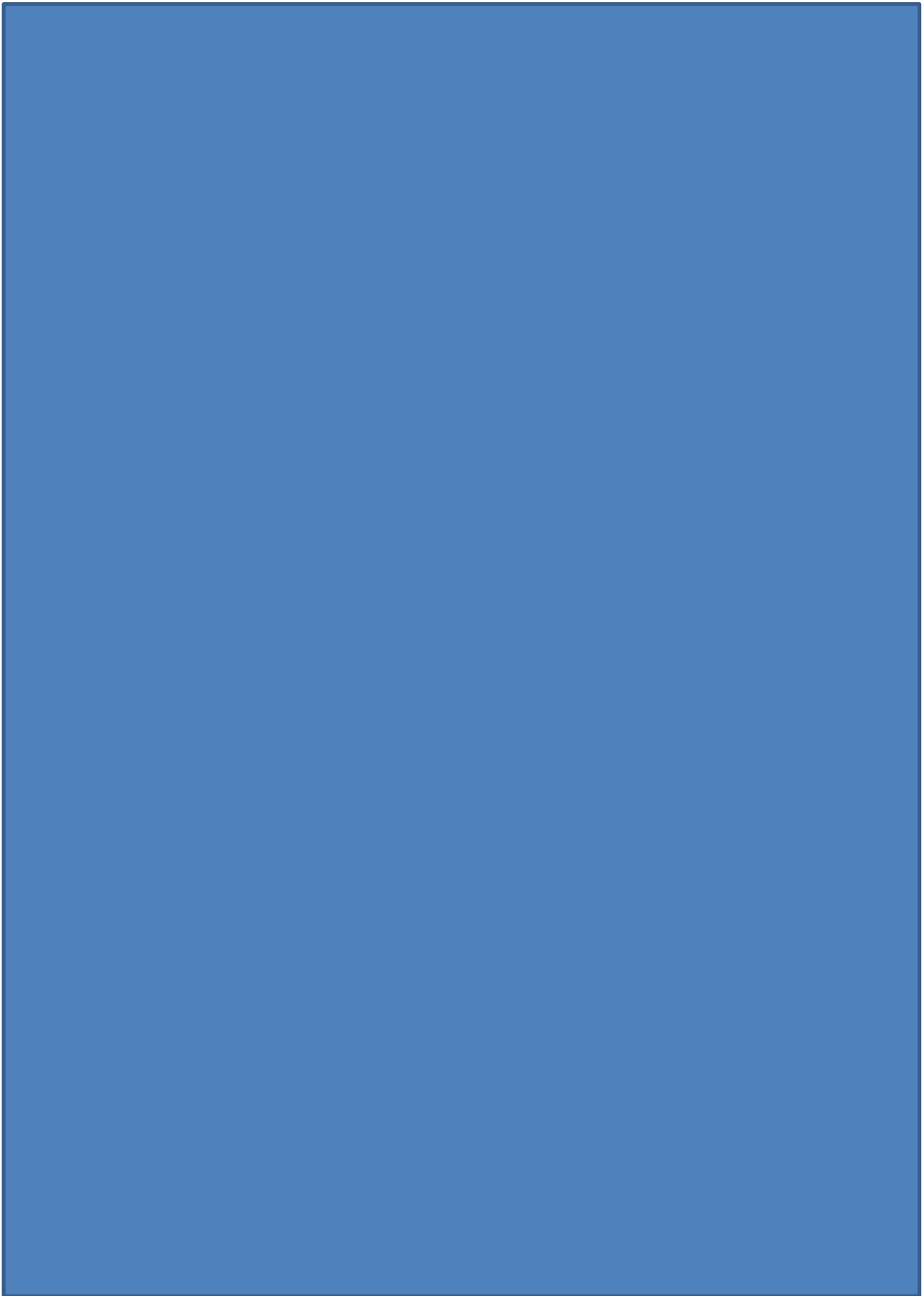


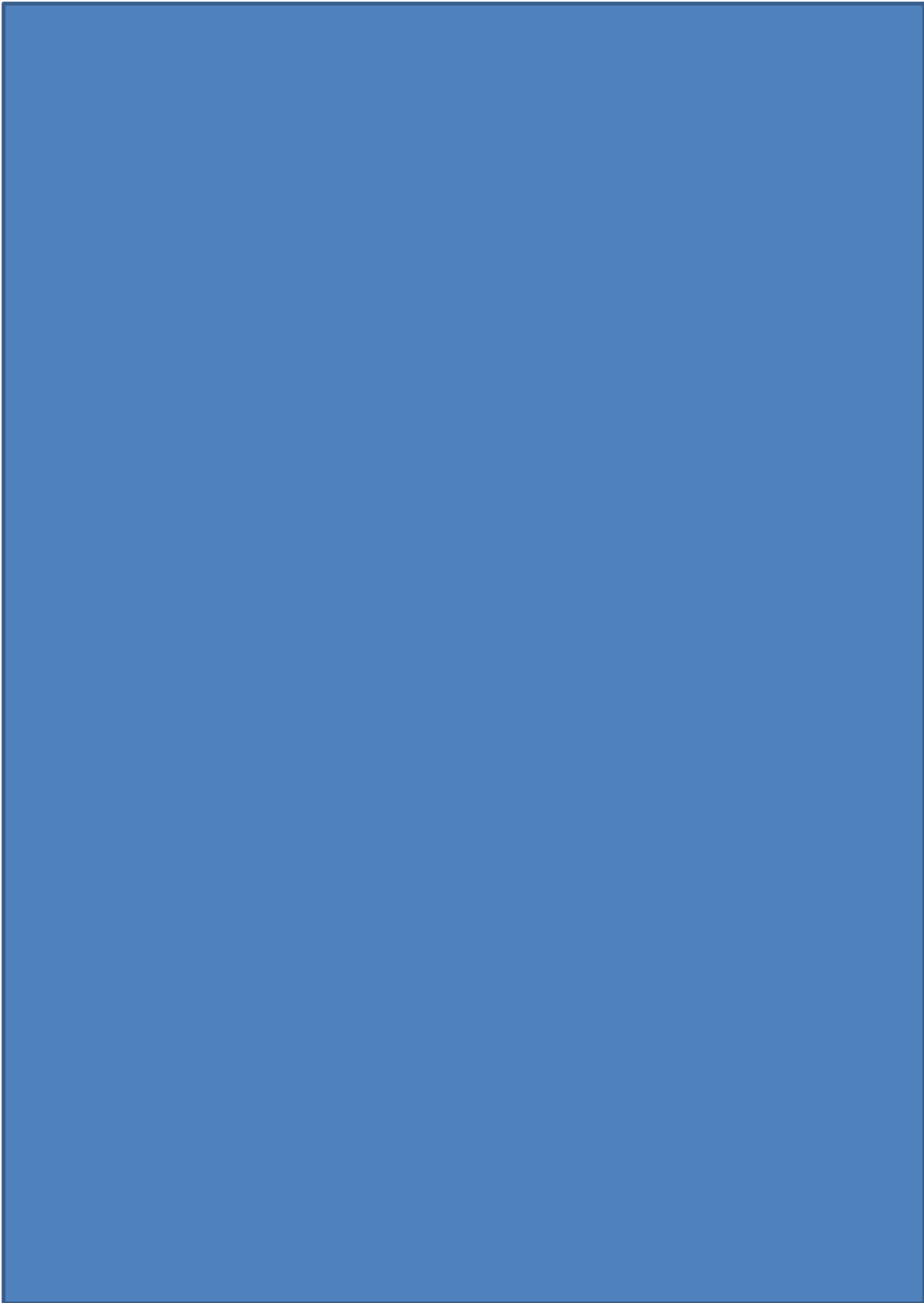
6. Market Price of Stainless Steel (304 Cold Rolled Coil) - Spreadsheet

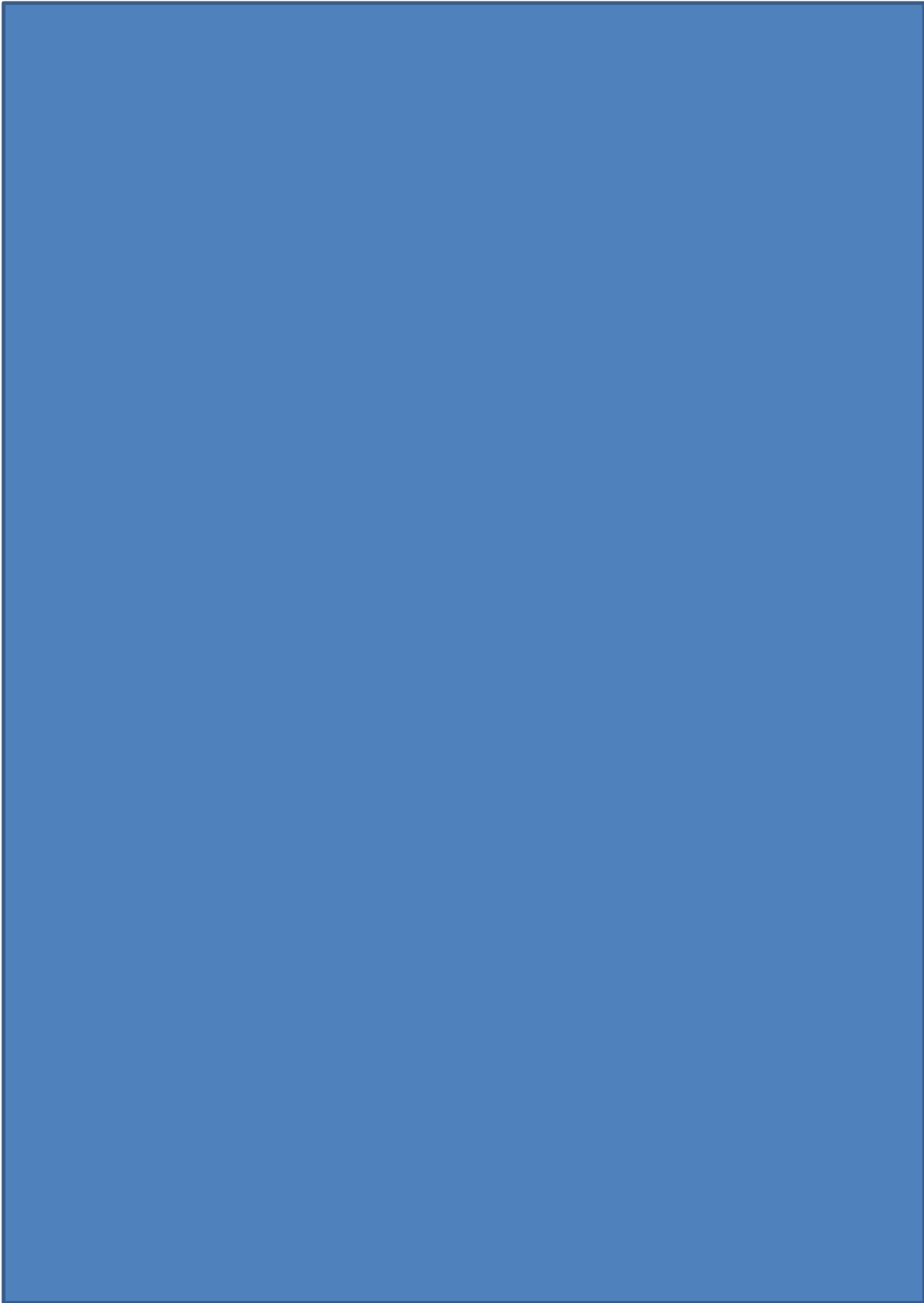


7. **Price of Stainless Steel from Local Supplier**

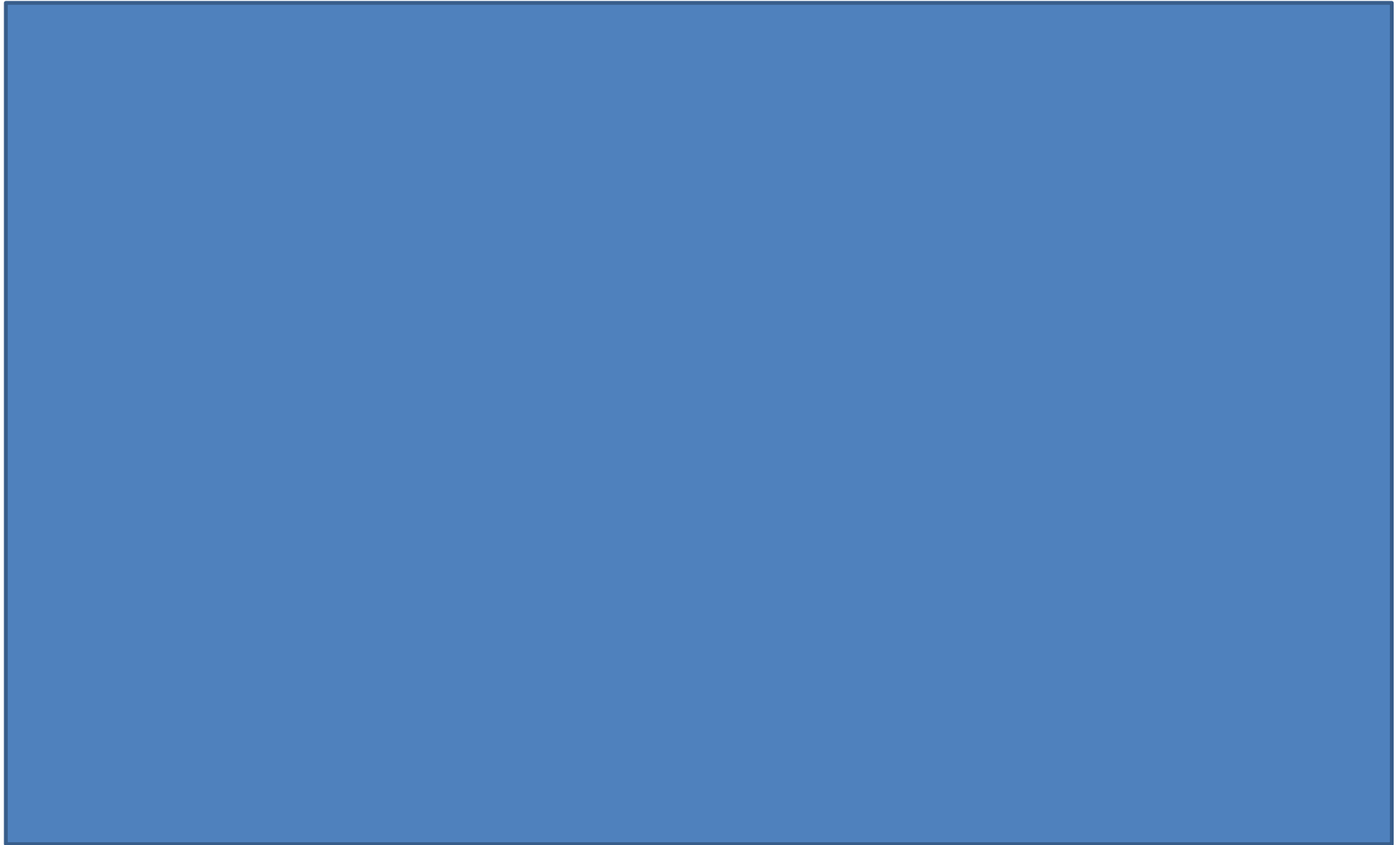
A. Email - Quote and Historic Pricing: (email)







B. Analysis of Historic Pricing from Local Supplier:

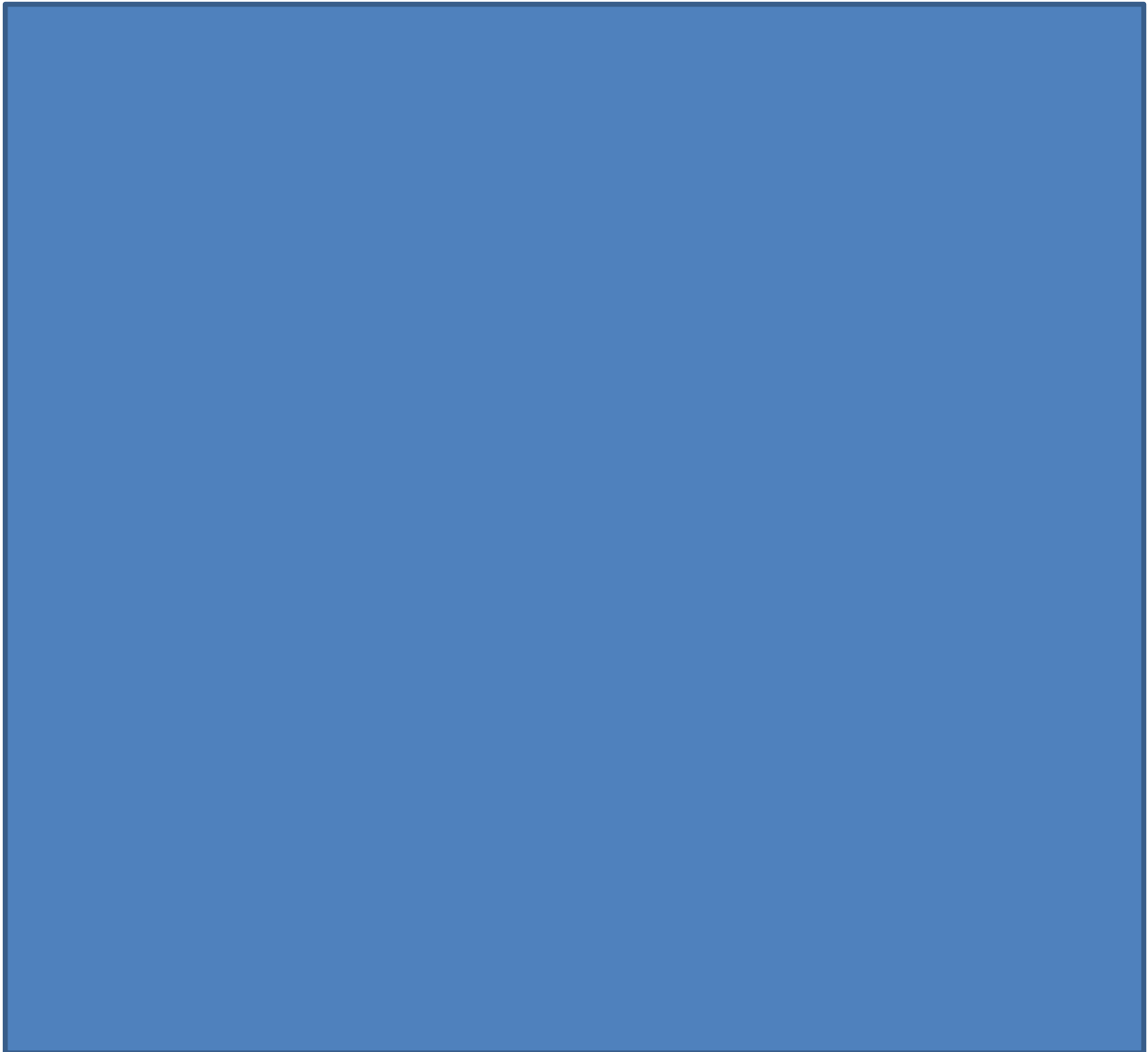


C. SCEA Stainless Steel Purchases Data:





D. Comparisons of Local Supplier & SCEA Pricing:



8. **Exchange Rate – AUD vs USD - Graph**

Source of graph: <http://www.xe.com/currencycharts/?from=AUD&to=USD&view=5Y>



9. **Exchange Rate – CNY vs USD - Graph**

Source of graph: <http://www.xe.com/currencycharts/?from=USD&to=CNY&view=5Y>

