



Customs Act 1901 – Part XVB

Anti-Dumping Notice No. 2017/187

Deep Drawn Stainless Steel Sinks

Exported from the People's Republic of China

Initiation of a Review of Anti-Dumping Measures

Relating to Shengzhou Chunyi Electrical Appliances Co. Ltd.

Public notice under subsection 269ZC(4) of the Customs Act 1901

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have initiated a review of the anti-dumping measures applying to deep drawn stainless steel sinks (the goods) exported to Australia from People's Republic of China (China) by Shengzhou Chunyi Electrical Appliances Co. Ltd. (SCEA). The review will be limited to examining whether the variable factors relevant to the taking of anti-dumping measures as they affect SCEA should be varied.

The Goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice are:

Deep drawn stainless steel sinks with a single deep drawn bowl having a volume of between 7 and 70 litres (inclusive), or multiple drawn bowls having a combined volume of between 12 and 70 litres (inclusive), with or without integrated drain boards, whether finished or unfinished, regardless of type of finish, gauge, or grade of stainless steel and whether or not including accessories.

The goods are classified within tariff subheading 7324.10.00 (statistical code 52), in Schedule 3 of the *Customs Tariff Act 1995*.

Background to the measures

The anti-dumping measures were initially imposed by public notice on 26 March 2014 by the then Parliamentary Secretary to the Minister for Industry and Science following consideration of *Anti-Dumping Commission Report No. 238* (REP 238). These measures are applicable to all exporters from China except for Primy Corporation Limited and Zhongshan Jiabaolu Kitchen and Bathroom Products Co. Ltd. against whom the subsidisation investigation was terminated on 19 February 2015 (TER 238). On 16 October 2015, following review by the Anti-Dumping Review Panel, the then Parliamentary Secretary gave public notice affirming her decision to impose anti-dumping measures.

On 16 May 2016, the Commissioner initiated a review of Anti-Dumping measures into deep drawn stainless steel sinks exported to Australia from China (REP 352) following an application lodged by Milena Australia Pty Ltd (Milena) an importer of deep drawn stainless steel sinks in Australia. The findings and recommendations in REP 352 were provided to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (Parliamentary Secretary), recommending that the dumping duty notice and countervailing duty notice have effect in relation SCEA as if different variable factors had been ascertained. This recommendation was accepted and interested parties were advised of this outcome in Anti-Dumping Notice No. 2016/107 on 21 November 2016.

The current review

An application was lodged by Milena under subsection 269ZA(1) of the *Customs Act 1901* (the Act) for review of the anti-dumping measures in relation to the goods exported to Australia by SCEA.

Particulars of the reasons for the decision to undertake this review are set out in Consideration Report No. 459, which has been placed on the public record.

The review period is from 1 October 2016 to 30 September 2017 and covers exports of the goods by SCEA during this period. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, I will recommend to the Parliamentary Secretary that the dumping duty notice and countervailing duty notice:

- i. remain unaltered; or
- ii. have effect in relation to SCEA as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures are no longer warranted, that party may lodge an application¹ no later than **27 January 2018** to request that I consider that evidence to extend this review of anti-dumping measures to include revocation.

Future Reviews

Under subsection 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measures or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice and countervailing duty notice that is the subject of this review cannot be made for a period of 12 months.

¹ In accordance with s.269ZCB of the Act.

Public Record

A public record must be maintained for each in review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au

Lodgment of submissions

Interested parties, as defined in subsection 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than the close of business on **27 January 2018** addressed to:

The Director
Operations 2,
GPO Box 1632
Melbourne VIC 3001

or email to investigations2@adcommission.gov.au , or fax to +61 3 8539 2470.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

Statement of Essential Facts

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe. A statement of essential facts (SEF) will be placed on the public record by **10 April 2018**, or by such later date as may be allowed in accordance with section 269ZHI of the Act. The SEF will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

Report to the Parliamentary Secretary

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before **25 May 2018** (or such later date as may be allowed in accordance with section 269ZHI).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2470 or by email to investigations2@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

21 December 2017