



# **ANTI-DUMPING NOTICE NO 2024/110**

## **Application for an Accelerated Review No 662 of a dumping duty notice**

**Submitted by Baowu Group Echeng Iron and Steel Co., Ltd**

**applying to certain steel reinforcing bar exported to  
Australia from People's Republic of China**

*Customs Act 1901 – Part XVB*

23 December 2024

### **Introduction**

I, Isolde Lueckenhausen Acting Commissioner, of the Anti-Dumping Commission (the commission), have commenced an accelerated review of the anti-dumping measures applying to certain steel reinforcing bar exported to Australia from the People's Republic of China, in so far as they relate to a new exporter, Baowu Group Echeng Iron and Steel Co., Ltd (the applicant).

The lodgement date of 9 December 2024 is the commencement date of the accelerated review.<sup>1</sup>

### **The goods**

The goods subject to anti-dumping measures (the goods), in the form of a dumping duty notice (the notice), are outlined in the table below.

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<sup>1</sup> Section 269ZF(2) states that an application for accelerated review is taken to have been lodged when the application is first received by a commission staff member doing duty in relation to applications for accelerated reviews. Section 269ZF(3) states that the day on which an application is taken to be lodged must be recorded on the application.

<b>Full description of the goods the subject of the application</b>
Hot-rolled deformed steel reinforcing bar whether or not in coil form, commonly identified as rebar or debar, in various diameters up to and including 50 millimetres, containing indentations, ribs, grooves or other deformations produced during the rolling process. The goods include all steel reinforcing bar meeting the above description of the goods regardless of the particular grade or alloy content or coating. The goods do not include plain round bar, stainless steel and reinforcing mesh.
<b>Further information</b>
The following categories of steel reinforcing bar are excluded from the goods: <ul style="list-style-type: none"> <li>• hot-rolled steel reinforcing bar with a continuous thread, commonly identified as 'threadbar' or 'threaded-bar,' in straight lengths, complying with Australian/New Zealand Standard AS/NZS4671, grade 500N, with a 40 mm diameter; and</li> <li>• fully threaded hot-rolled prestressing steel reinforcing bar, in straight lengths, with a minimum yield strength of 885 MPa or greater, with a 26.5mm, 32mm, 36mm, 40mm or 50mm diameter.</li> </ul>

Further details on the goods and existing measures is available on the Dumping Commodity Register on the Anti-Dumping Commission's website ([www.adcommission.gov.au](http://www.adcommission.gov.au)).

### **Accelerated reviews**

The legislative framework that underpins the making of, and my consideration of, an application for accelerated review of dumping duty and countervailing duty notices is contained in Divisions 1 and 6 of Part XVB of the *Customs Act 1901* (Cth).<sup>2</sup>

If I do not reject an application or terminate an accelerated review, pursuant to sections 269ZG(1) and (2) I must, no later than 100 days after the application is lodged, provide the Minister for Industry and Science a report recommending:

- a) that the dumping duty notice the subject of the application remain unaltered, or
- b) that the dumping duty notice the subject of the application be altered so as to apply to the applicant as if different variable factors had been fixed;

and set out my reasons for so recommending.

In relation to this application, this recommendation must be made no later than **19 March 2025**.

There is no legislative requirement to maintain a public file for accelerated reviews. However, in the interests of transparency, a public record will be maintained. This notice, along with a non-confidential version of the application, response to the exporter questionnaire and any non-confidential submissions that are received, will be published on the public record, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

<sup>2</sup> Unless stated otherwise, all legislative references in this notice are to the *Customs Act 1901* (Cth).

## **Submissions**

Written submissions concerning this accelerated review must be lodged by **20 January 2025** via email to [investigations4@adcommission.gov.au](mailto:investigations4@adcommission.gov.au).

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 "**OFFICIAL: Sensitive**" on each page. A non-confidential version, or a summary, of the submission must also be lodged, clearly marked "**PUBLIC RECORD**" on each page.

## **Circumstances in which an accelerated review may be sought**

Section 269ZE sets out the circumstances in which an accelerated review may be sought. If the circumstances of section 269ZE(2) are met, I may reject the application.

<b>Requirement</b>	<b>Finding</b>
Applicant meets the definition of new exporter <sup>3</sup> (section 269ZE(1))  To fall within the definition of a new exporter, the period within which the applicant must not have exported the goods to Australia is 1 July 2014 to 30 June 2015 (the investigation period for the original investigation).	There is no evidence of exports by the applicant during the investigation period for the original investigation. A search of the Australian Border Force's import database did not reveal the applicant as a supplier of the goods during this period.  Accordingly, I consider that the applicant should be considered a new exporter for the purposes of the accelerated review.
Declaration has not already been made in respect of the applicant under section 269ZG(3)(b) (section 269ZE(1))	No such declaration has been made.
The applicant did not refuse to co-operate, in relation to the application for publication of the notices (section 269ZE(2)(a))	There is no evidence of exports by the applicant during the investigation period for the original investigation and, therefore, cooperation was not sought from the applicant during the original investigation as the applicant would not have been identified as an exporter. Accordingly, the applicant did not refuse to cooperate with the original investigation.

<sup>3</sup> A new exporter is defined in section 269T(1) as, in relation to the goods the subject of the application for a dumping or countervailing duty notice or like goods, an exporter who did not export such goods to Australia at any time during the investigation period in relation to the application. Section 269T(1) also defines 'application' in relation to a dumping duty notice or a countervailing duty notice as meaning an application for the publication of such a notice.

<p>The applicant is not related to an exporter whose exports were examined in relation to the application for publication of the notices (section 269ZE(2)(b))</p> <p><i>Section 269ZE(4) provides that, for the purposes of section 269ZE, an exporter is taken to be related to another exporter if the two exporters are associates of one another under section 269TAA(4).</i></p>	<p>The applicant claimed it does not have a relationship to an exporter examined in relation to the application for the publication of the notices.</p> <p>The commission has examined information provided by the applicant and reviewed information from the original investigation including corporate structures to ascertain if there was any relationship or connection between the applicant and an exporter whose exports were examined during the original investigation.</p> <p>There is no evidence to suggest that the applicant is related to an exporter whose exports were examined during the original investigation.</p>
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For the reasons set out above, I consider that the application complies with section 269ZE(1). As there are presently no grounds to reject the application under section 269ZE(2), I have not rejected it.

### **Application for accelerated review – compliance with section 269ZF**

Section 269ZF(1) requires that an application for accelerated review must:

- be in writing and be lodged in a manner approved under section 269SMS (section 269ZF(1))
- contain a description of the goods to which the dumping duty notice and the countervailing duty notice relates (section 269ZF(1)(a)) and
- contain a statement of the basis on which the exporter considers that the particular notice is inappropriate so far as the exporter is concerned (section 269ZF(1)(b)).

<b>Requirement</b>	<b>Finding</b>
Lodged with the Commissioner in writing and in a manner approved under section 269SMS	The application was in writing and lodged in a manner approved in an instrument made under section 269SMS, being by email to the Commission's nominated email address.
Contains a description of the goods to which the dumping duty notice relates	The application contained a description of the goods to which the dumping duty notice relates.
Contains a statement of the basis on which the applicant considers that the particular notice is inappropriate in so far as the exporter is concerned	The applicant provided a statement that based on their own price calculations and analysis they consider they are not dumping. They also recommended a different method to calculate export price and normal value because they considered the method applied in Review 563 was not correct. Based on these reasons they consider the 'all other exporters' rate is not appropriate.

Based on the information submitted by the applicant, I consider that the application complies with section 269ZF(1).

## **Conclusion**

I am satisfied that, on the basis of currently available information in the application that:

- the circumstances in which an accelerated review can be sought under section 269ZE(1) have been satisfied
- the conditions for rejection under section 269ZE(2) are not satisfied, and
- the application satisfies the requirements of section 269ZF.

In view of the above, I have decided that the application should not be rejected. My decision has been made on the basis of all currently available information. If, during the accelerated review, evidence becomes available that satisfies me that the requirements of either section 269ZE(2) or section 269ZE(3) are met, I may reject the application or terminate the accelerated review.

The review period for the accelerated review is set as **1 October 2023 to 30 September 2024**.

## **Securities**

When an application for an accelerated review of a dumping duty notice or countervailing duty notice is lodged, section 269ZH(a) provides that no interim duty can be collected from the applicant in respect of consignments of goods, to which the application relates, entered for home consumption after the application is lodged and until the completion of the review.

Pursuant to section 269ZH(b), the Commonwealth may require and take securities under section 42 in respect of interim dumping duty and interim countervailing duty that may be payable on importation of the goods to which the application relates.

I declare that the Commonwealth will require and take securities, as shown in **confidential table 1**, under section 42, from 9 December 2024 in respect of interim dumping duty and interim countervailing duty that may be payable on the importation of the goods to which the application under section 269ZE(1) relates.

The interim dumping duty that has been determined is an amount that has been worked out in accordance with the combination duty method pursuant to section 5(2) of the *Customs Tariff (Anti-Dumping) Regulation 2013*.

The interim countervailing duty that has been determined is an amount that has been ascertained as a proportion of the export price of the goods pursuant to section 10(3B)(a) of the *Customs Tariff (Anti-Dumping) Act 1975 (Cth)*.

## **Contact**

Enquiries about this notice may be directed to the Case Manager on telephone number +61 03 8539 2470 or [investigations4@adcommission.gov.au](mailto:investigations4@adcommission.gov.au).

Isolde Lueckenhausen  
Acting Commissioner  
Anti-Dumping Commission

23 December 2024

## **Appendices and attachments**

<b>Confidential Table 1</b>	Ascertained variable factors and rates of duty for the collection of securities
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