

7 April 2026

The Director – Investigations 4
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

By Email: investigations4@adcommission.gov.au

Dear Director

Gemco Rail Pty Ltd
Investigation 690 into freight railway wheels from China

1 Background

- 1.1 We act for Gemco Rail Pty Ltd.
- 1.2 Our client is an importer of cast steel railway wheels (**Gemco Goods**) from China to Australia.
- 1.3 Our client purchases Gemco Goods from its overseas supplier, Xinyang Amsted Tonghe Wheels Co., Ltd (**Amsted**) and has been importing the Gemco Goods to Australia for approximately 6 years.
- 1.4 We note that our client is a leading independent provider of cast steel wheelsets to major Australian freight companies like SCT Logistics.
- 1.5 We refer to the publication of Anti-Dumping Notice (**ADN**) 2025/128 and the Preliminary Affirmative Determination (**PAD**) report published by the Anti-Dumping Commission on 22 December 2025.
- 1.6 ADN 2025/128 imposed interim dumping duties on imports of certain freight railway wheels imported from China and entered for home consumption in Australia on or after 22 December 2025. The interim dumping duty rate imposed by ADN 2025/128 is 36.9%.
- 1.7 Following the imposition of these interim dumping measures (**Measures**), the Australian Border Force began collecting dumping duty levied on imports of the Gemco Goods.
- 1.8 Our client's position is that the Gemco Goods fall clearly outside the scope of the goods under consideration (**GUC**), which are the subject of Investigation 690.

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- 1.9 In this submission we will provide further information and details regarding the process of manufacture and technical specifications of the Gemco Goods to demonstrate that they are a product clearly excluded from the current inquiry.

2 The Gemco Goods

- 2.1 The Gemco Goods are manufactured from cast steel, a production method that is fundamentally distinct from the forged and rolled high carbon steel process that is an essential characteristic of the GUC in Investigation 690.
- 2.2 The GUC, as set out in Anti-Dumping Notice 2025/128 are expressly limited to “railway wheels of forged and rolled high carbon steel” with an outside diameter of 27.5 to 37.5 inches. This manufacturing specification excludes cast steel wheels such as the Gemco Goods which are a wholly different type of railway wheel.
- 2.3 The two production methods yield products with materially different metallurgical structures and performance characteristics.
- 2.4 We have **enclosed** the following documents with this submission which provide further details and specifications of the Gemco Goods:
- (a) Amsted company profile document which sets out in great detail the entire manufacturing process of the Gemco Goods.
 - (b) Engineering drawings of the Gemco Goods
 - (c) Gemco Goods product brochure
 - (d) Finite element analysis of Gemco Goods
- 2.5 In the casting process used for the Gemco Goods, molten steel is poured into a precision mould and allowed to solidify under controlled cooling conditions. The resulting wheel is then heat-treated and machined to final dimensions.
- 2.6 Amsted global manufacturing capacity enables manufacturing operations combine an automotive-style quality system with the AAR (Association of American Railroads) specification for Quality Assurance, M-1003, and leverage a state-of-the-art digital Manufacturing Execution System (**MES**) to integrate the latest technologies in robotics, machine vision and artificial intelligence into manufacturing processes.
- 2.7 These wheels are cost-effective for high-volume production and are engineered for the demanding axle loads and low-to-medium speed operations typical of Australian mining and freight services supplied by our client to SCT Logistics.
- 2.8 By contrast, the forged and rolled high carbon steel wheels covered by the GUC begin as a solid steel billet or ingot that is heated to a plastic state and then subjected to intense mechanical deformation.

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- 2.9 The steel is first forged under high-pressure hammers or presses to rough shape, then rolled through specialised wheel-rolling mills that further refine the rim, tread and flange profiles.
- 2.10 This solid-state working realigns the grain structure along the contours of the wheel, creating a denser, fibrous “grain flow” that follows the wheel’s geometry. The result is a wheel with increased directional strength, higher fatigue resistance and improved toughness compared with cast material.
- 2.11 Forged and rolled wheels are therefore generally specified for applications requiring exceptional resistance to cyclic loading and impact, but they are produced by an entirely different (and more capital-intensive) technology than the cast steel Gemco Goods.
- 2.12 These fundamental differences in manufacturing processes translate directly into distinct metallurgical and performance profiles. Forged and rolled wheels exhibit higher tensile strength, better elongation and superior fatigue life because the mechanical working eliminates voids and aligns the grain flow to resist crack propagation.
- 2.13 Cast steel wheels, while meeting rigorous international standards for freight service, possess a more uniform but less refined microstructure and are not produced by forging or rolling.
- 2.14 We would be pleased to provide any further technical data, drawings, specifications or independent verification required by the Commission to support this position.
- 2.15 The GUC definition therefore cannot encompass cast steel wheels such as the Gemco Goods, which have been supplied to the Australian market as a separate and well-established product category.

3 Avenues of recourse for our client

- 3.1 Due to the fundamental technical and production difference between the Gemco Goods and the GUC detailed above, our client’s position is that the Measures have no application to its imports. Further, our client submits that it should not be required to pay, and the ABF should not continue to collect, any dumping duty on these imports.
- 3.2 Although the *Customs Act 1901 (Act)* does not make provision for payments of dumping duty to be made under protest, our client’s position is that all dumping duty collected since 22 December 2025 has been paid ‘in the spirit’ of the payment under protest provisions in the Act..
- 3.3 In light of the information provided within and enclosed with this submission, we respectfully request that the ADC confirm in writing its view regarding whether the Gemco Goods are excluded from the GUC and are not subject to the interim dumping duties imposed by ADN 2025/128.

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- 3.4 If the ADC shares our client's view, our client would then propose to work together with the ADC and the ABF to facilitate the payment of refunds with respect to import transactions on which dumping duty has been paid since 22 December 2025.
- 3.5 Such confirmation will enable our client to clarify its import compliance arrangements and avoid any ongoing and unnecessary financial burden arising from the incorrect application of the Measures.
- 3.6 We otherwise note that our client reserves all its rights to take such further action as may be necessary or appropriate to protect its interests in the event that the ADC and/or ABF do not confirm the Gemco Goods are excluded from the GUC.
- 3.7 Such further action may include (but is not limited to):
- (a) applying for an exemption with respect to the Gemco Goods;
 - (b) seeking review by the Anti-Dumping Review Panel of any forthcoming Ministerial decision;
 - (c) seeking administrative review in the Administrative Review Tribunal;
 - (d) commencing proceedings in the Federal Court of Australia for judicial review or any other relief; and
 - (e) pursuing any other available remedy under the Act, the *Administrative Decisions (Judicial Review) Act 1977* or at law.

Please do not hesitate to contact us if you require any further information or to discuss any aspect of this submission.

Yours faithfully

A blue ink signature, appearing to be 'A. Hudson', written in a cursive style.

Andrew Hudson
Partner

A blue ink signature, appearing to be 'A. Uskhopov', written in a cursive style.

Alexander Uskhopov
Associate