**Orrcon Steel**
**www.orrconsteel.com.au**

**Head Office**
121 Evans Rd
PO Box 295
Salisbury, QLD, 4107
Australia
**T** 1300 677 266
**F** (07) 3274 0677
**E** info@orrcon.com.au

31 August 2026

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

Investigations@adcommission.gov.au

Dear Director,

**Accelerated Review No. 712 – Hollow structural sections exported from China by Jiangsu Youli Intelligent Equipment Co., Ltd**

***Introduction***

Orrcon Manufacturing Pty Ltd (**Orrcon**) makes this submission in Accelerated Review No. 712, which concerns Jiangsu Youli Intelligent Equipment Co., Ltd (**Youli**), an applicant for new exporter status in relation to the dumping duty and countervailing duty notices applying to certain hollow structural sections (**HSS**) exported from China.

The Commission's initiation notice records that the application concerns goods to which the altered HSS measures apply, including goods classified to tariff subheading 7308.90.00, statistical code 65. Orrcon understands from the application that the goods relevant to the application are solar tracker torque tubes / hollow structural section components exported by Youli from China to Australia and understood to be classified under tariff subheading 7308.90.00, statistical code 65.

In this submission, Orrcon addresses:

1. the analytical approach relevant to determining variable factors applicable to Youli;
2. the applicant-specific information that the Commission should examine and verify; and
3. the application of the operative goods description following Anti-Circumvention Inquiry No. 685.

***REP 590 provides a relevant analytical starting point***

Report No. 590 (**REP 590**) contains the Commission's most recent comprehensive examination of dumping and subsidisation in relation to Chinese exporters of the HSS goods.[1] REP 590 therefore provides a relevant analytical starting point for determining the variable factors applicable to Youli, subject to the Commission's assessment of reliable information relating to Youli and the current review period, including verified information where available.

In REP 590 the Commission found that a particular market situation (**PMS**) existed in the Chinese domestic market for the goods.[2] The Commission also considered whether domestic sales in that market provided a suitable basis for determining a normal value under subsection 269TAC(1) of the *Customs Act 1901* (**the Act**) that would permit a proper comparison with the export price.[3] The Commission concluded that the relevant domestic sales were unsuitable for that purpose.

[1] Anti-Dumping Commission Report No. 590, 27 May 2022, chapters 1,7,8 and 12 and non-confidential Appendices A to D.
[2] REP 590, non-confidential Appendix A, especially sections A1, A3 and A7.
[3] REP 590, non-confidential Appendix B, especially sections B1, B2 and B6.

The Commission accordingly constructed normal values under paragraph 269TAC(2)(c), including by adjusting Chinese hot-rolled coil (**HRC**) input costs by reference to an international benchmark to account for the effect of the PMS on those input costs.[4] HRC is the principal material input in the production of HSS, including HSS processed into torque tubes.

REP 590 also found that certain Chinese producers of the goods received countervailable subsidies. These included benefits under Program 20, which concerned HRC provided by Chinese steel mills that the Commission found to be public bodies, for less than adequate remuneration, measured against a competitive international benchmark.[5] The Commission had regard to those findings when determining the relevant countervailing variable factors.

The Commission subsequently examined HRC exported from China in Investigation No. 658. REP 658 found that a PMS existed in the Chinese domestic market for HRC during the investigation period from 1 October 2023 to 30 September 2024 and that government involvement had materially contributed to overcapacity, oversupply and distortion in the Chinese steel industry.[6] The Commission also made exporter-specific findings concerning countervailable subsidisation. Those findings included the termination of the subsidy investigation for the four selected exporters because their levels of subsidisation were negligible, while the Commission found non-negligible subsidisation for all other exporters based on all facts available and reasonable assumptions.[7]

The PMS finding in REP 658 may provide more recent contextual evidence relevant to the Commission's assessment of Youli's HRC input costs. The Commission should assess any countervailable subsidisation applicable to Youli separately, having regard to Youli-specific evidence and the differentiated subsidy findings in REP 658.

Under section 269ZG of the Act, the Commissioner must recommend whether the relevant notices should remain unaltered or should be altered to apply to Youli as if different variable factors had been fixed and must set out the reasons for that recommendation.[8] In performing that task, the Commission should determine the variable factors by reference to reliable information relevant to Youli and the review period, including verified information where available. In doing so, the Commission should have regard to the findings and methodologies in REP 590 to the extent that current evidence demonstrates their continuing relevance.

Orrcon submits that a consistent approach supports treating relevant earlier Commission findings and methodologies as a starting point unless evidence from Youli and the review period supports a different conclusion. Based on the public information currently available and before completion of the Commission's verification process, Orrcon is not aware of evidence demonstrating that the conditions underlying the REP 590 PMS finding and the application of the HRC benchmarking methodology have materially changed. Youli's status as a new exporter does not, by itself, establish that those findings and methodologies are no longer relevant.

Orrcon therefore submits that the Commission should:

1. assess the continuing relevance of the PMS finding and the effect of any PMS on the suitability of Youli's domestic sales;
2. determine whether Youli's recorded HRC costs reasonably reflect competitive market costs;
3. examine whether Youli, any related entity or any relevant input supplier received countervailable subsidies; and
4. apply the methodologies adopted in REP 590 where verified evidence for Youli and the review period supports their application.

Any material departure from those findings or methodologies should be supported by sufficient reliable evidence relating to Youli and the review period, together with a clear explanation for that departure.

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[4] REP 590, chapter 7 and non-confidential Appendices A and C, especially sections A6.1, A6.2 and C2 to C4.
[5] REP 590, chapter 8 and non-confidential Appendix D, section D2.1.
[6] REP 658, 2 April 2026, EPR 658, document no. 44, non-confidential Appendix A, especially sections A1, A2 and A4.
[7]REP 658, chapter 7, especially sections 7.1 and 7.6, and non-confidential Appendix D, including the findings concerning Programs 178 and 179.
[8] Customs Act 1901 (Cth), subsection 269ZG(1).

***Applicant-specific information***

In applying that approach, the Commission should examine and verify:

- Youli's complete domestic and export sales data;
- the identity and role of each producer, exporter, trading entity and other entity involved in producing or exporting the goods;
- the identity and ownership status of Youli's HRC suppliers;
- Youli's HRC purchase prices and terms of supply;
- any relationships between Youli, its input suppliers, customers and any other entities involved in producing or exporting the goods;
- whether Youli's domestic sales are suitable for determining a normal value that permits a proper comparison with the export price;
- whether Youli's recorded HRC and other input costs reasonably reflect competitive market costs;
- Youli's production costs and the reconciliation of those costs to its accounting, purchasing and production records; and
- any subsidies received by Youli, its related entities and, where relevant under the Act, its input suppliers.

Youli's sales, costs and other applicant-specific information will inform the calculation of its variable factors. The existence of applicant-specific information does not, without further analysis, establish that the relevant market conditions differ from those identified in REP 590 or that the normal value methodology adopted in that report is no longer appropriate.

If Youli does not provide complete and verifiable information, the Commission should determine the applicable variable factors in accordance with the relevant provisions of the Act, having regard to all relevant information available to it. That information may include the verified findings and methodologies in REP 590, to the extent that the Commission considers them applicable to Youli and the review period.

***Goods description following Anti-Circumvention Inquiry No. 685***

Following the Minister's consideration of Report No. 685 (**REP 685**), Anti-Dumping Notice No. 2026/064 (**ADN 2026/064**) altered the dumping duty and countervailing duty notices to include specified electric resistance welded pipe and tube made of carbon or other alloy steel, classified to tariff subheading 7308.90.00, statistical code 65.

The operative description includes circular and non-circular HSS with holes created by drilling, punching, piercing, cutting or otherwise, whether at the end of the section, along its length, or both. The alteration applies on and after 4 September 2025.[9]

Under section 269ZG of the Act, the statutory outcomes available under this accelerated review concern whether the notices should remain unaltered or should apply to Youli as if different variable factors had been fixed. Orrcon therefore submits that this review does not provide a basis for revisiting the operative goods description established by ADN 2026/064 following the Minister's consideration of REP 685.

The Commission must nevertheless confirm that the goods to which Youli's application relates satisfy the complete operative goods description. Youli describes the goods relevant to the application as solar tracker torque tubes / hollow structural section components exported from China to Australia and understood to be classified under tariff subheading 7308.90.00, statistical code 65, subject to confirmation by the importer's customs broker. On the basis of that description, and subject to verification of all elements of the operative goods description, the goods appear to fall within the notices.

Orrcon submits that the Commission should verify the goods' composition, method of manufacture, physical characteristics, dimensions, finish, hole configuration and tariff classification against the complete operative goods description and conduct the accelerated review on that basis. Manufacture to project-specific requirements or

[9] Anti-Dumping Notice No. 2026/064, 5 June 2026, pp. 2-4; Anti-Dumping Commission Report No. 685, 7 May 2026, chapters 5 and 6. ADN 2026/064 declares that the alterations apply on and after 4 September 2025.

intended use in solar-tracker systems does not, by itself, remove goods that otherwise satisfy the description from the scope of the notices.

For and on behalf of Orrcon Manufacturing Pty Ltd