

**Non-Confidential**

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Date: 20 September 2018

**By Email**

**Mr Mick Kenna  
Assistant Director  
Investigations 4  
Anti-Dumping Commission  
55 Collins Street  
Melbourne VIC 3000**

Dear Mr Kenna

***RE: Dumping and Subsidy Investigation – Exports of Certain Railway Wheels from the People’s Republic of China***

As you know, I act for CCCME, amongst others, in relation to this investigation.

I refer to the recent submissions by Rio Tinto and BHP Billiton. It is self-evident from those submissions that the issue is the quality of Comsteel’s railway wheels as compared to Masteel’s railway wheels reflecting different manufacturing processes and, consequently, the performance of the railway wheel wheels.

In terms of a purchasing decision, why would an end-user pay a higher prices for an inferior product that could increase the end-users costs when they wear out or fail? If the Commission is of a different view, I would welcome its explanation for such different view.

In these circumstances, this investigation must be terminated as dumping and/or subsidies are not the cause of injury but the Australian industries inferior manufacturing processes and consequent problems with its products as evidenced by its customers in their submissions to the Commission.

Please place this memo on the public file.

Andrew Percival

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cc. Ms Karen Andrews MP, The Honourable Minister for Industry, Science and Technology