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***Customs Act 1901 – Part XVB***

**Certain railway wheels**

**Exported from the People's Republic of China and France**

**Findings in relation to a dumping investigation  
(Investigation No. 466)**

***Public notice under subsections 269TG(1) and (2) of the Customs Act 1901***

***Anti-Dumping Notice (ADN) 2019/30***

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed an investigation into the alleged dumping of certain railway wheels (railway wheels) exported to Australia from the People's Republic of China (China) and France.

The goods the subject of the investigation (the goods) are:

*Forged and rolled steel, high hardness, nominal 38-inch (or 966 mm to 970 mm) diameter, railway wheels, whether or not including alloys.*

The goods are generally, but not exclusively, classified to the following tariff classification in Schedule 3 to the *Customs Tariff Act 1995*:

8607.19.00 (statistical code 20)

This tariff classification and statistical code may include goods that are both subject and not subject to this investigation. The listing of this tariff classification and statistical code is for convenience or reference only and does not form part of the goods description.

The Commissioner reported his findings and recommendations to me in *Anti-Dumping Commission Report No. 466* (REP 466). REP 466 outlines the investigation carried out and recommends the publication of a dumping duty notice in respect of the goods. I have considered REP 466 and accepted the Commissioner's recommendations and reasons for the recommendations, including all material findings of fact or law on which the Commissioner's recommendations were based, and particulars of the evidence relied on to support the findings. This report is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

On 25 January 2019, the Commissioner terminated his subsidisation investigation into the goods exported from China. Termination Report No. 466 sets out the reasons for the termination. This report is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Particulars of the dumping margins established and an explanation of the methods used to compare export prices and normal values to establish each dumping margin are set out in the following table:

## PUBLIC RECORD

Country	Exporter	Dumping Margin	Method to establish dumping margin
China	Maanshan Iron & Steel Co Ltd	17.4%	Weighted average export prices were compared with weighted average corresponding normal values over the investigation period in accordance with subsection 269TACB(2)(a) of the <i>Customs Act 1901</i> .
	All other exporters	17.4%	
France	MG-Valdunes	37.2%	
	All other exporters	37.2%	

I, KAREN ANDREWS, Minister for Industry, Science and Technology, have considered, and accepted, the recommendations of the Commissioner, the reasons for the recommendations, the material findings of fact on which the recommendations are based and the evidence relied on to support those findings in REP 466.

I am satisfied, as to the goods that have been exported to Australia, that the amount of the export price of the goods is less than the normal value of those goods and because of that, material injury to the Australian industry producing like goods would or might have been caused if securities had not been taken. Therefore under subsection 269TG(1) of the Act, I DECLARE that section 8 of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act) applies to:

- (i) the goods; and
- (ii) in accordance with sections 45 and subsection 269TN(2) of the Act, to like goods that were exported to Australia for home consumption on or after 19 June 2018, which is when the Commonwealth took securities following the Commissioner's Preliminary Affirmative Determination published on 18 June 2018 under section 269TD of the Act, but before the publication of this notice.

I am also satisfied that the amount of the export price of like goods that have already been exported to Australia is less than the amount of the normal value of those goods, and the amount of the export price of like goods that may be exported to Australia in the future may be less than the normal value of the goods and because of that, material injury to an Australian industry producing like goods has been caused. Therefore under subsection 269TG(2) of the Act, I DECLARE that section 8 of the Dumping Duty Act applies to like goods that are exported to Australia after the date of publication of this notice.

This declaration applies in relation to all exporters of the goods and like goods from China and France.

The considerations relevant to my determination of material injury to the Australian industry caused by dumping are the size of the dumping margins, the effect of dumped imports on sales volumes and prices in the Australian market and the consequent impact on the Australian industry, including:

- loss of sales volume;
- loss of market share;
- price suppression;
- reduced profits;
- reduced profitability;
- reduced return on investment;
- reduced capacity utilisation;
- reduced employment numbers; and
- reduced revenue.

## PUBLIC RECORD

In making my determination, I have considered whether the Australian industry is being injured by a factor other than the exportation of dumped goods, and I have not attributed injury due to other factors to the exportation of those dumped goods.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

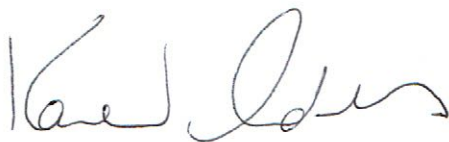
Particulars of the export prices, non-injurious prices and normal values of the goods (as ascertained in the confidential tables to this notice) will not be published in this notice as they may reveal confidential information.

Clarification about how measures and securities are applied to 'goods on the water' is available in ACDN 2012/34, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

REP 466 and other documents included in the public record may be examined at the Anti-Dumping Commission office by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Enquiries about this notice may be directed to the case manager on telephone number +61 2 6243 7446 or email [investigations4@adcommission.gov.au](mailto:investigations4@adcommission.gov.au).

Dated this 12<sup>th</sup> day of July 2019



KAREN ANDREWS  
Minister for Industry, Science and Technology