



**Australian Government**  
**Department of Industry,  
Innovation and Science**

**Anti-Dumping  
Commission**

**Received**

Anti-Dumping Commission 6/12/2021

Application for a  
review of  
anti-dumping measures

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# APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901* FOR A REVIEW OF ANTI-DUMPING MEASURES

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In accordance with section 269ZA of the *Customs Act 1901* (the Act), I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1.  **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

- normal value
- export price
- non injurious price
- subsidy

The variable factors review is in relation to:

- a particular exporter - [JIANGYIN XINGCHENG MAGOTTEAUX STEEL BALLS CO., LTD.](#)
- exporters generally

**or**

2.  **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

- the dumping duty notice
- the countervailing duty notice
- the undertaking

The revocation review is in relation to:

- a particular exporter (*if so provide name and country details*)
- exporters generally

## NOTE

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

## DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:



Shaojun BAO  
General Manager, Jiangyin Xingcheng Magotteaux Steel Balls Co., Ltd.

Name:

Mr Shojun BAO

Position:

General Manager

Company:

JIANGYIN XINGCHENG MAGOTTEAUX STEEL BALLS CO., LTD.

ABN:

Not applicable

Date:

2 December 2021

**Signature requirements**

Where the application is made:

*By a company* - the application must be signed by a director, servant or agent acting with the authority of the body corporate.

*By a joint venture* - a director, employee, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.

*On behalf of a trust* - a trustee of the trust must sign the application.

*By a sole trader* - the sole trader must sign the application.

*In any other case* - contact the Commission's client support section for advice.

**Assistance with the application**

The Anti-Dumping Commission has published guidelines to assist applicants with the completion of this application. Please refer to the '*Instructions and guidelines for applicants: Application for review or revocation of measures*' on the Commission's website.

The Commission's client support section can provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:

**Phone:** 13 28 46 or +61 2 6213 6000 (outside Australia)

**Fax:** (03) 8539 2499 or +61 3 8539 2499 (outside Australia)

**Email:** clientsupport@adcommission.gov.au

Other information is available from the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the International Trade Remedies Advisory (ITRA) Service. For more information on the ITRA Service, visit [www.business.gov.au](http://www.business.gov.au) or telephone the ITRA Service Hotline on +61 2 6213 7267.

**Review Period**

The review period is *generally* the 12 month period preceding the initiation date and ending on the most recently completed month or quarter.

For the purposes of information requested in this application, please consider the review period as the 12 month period ending on the most recently completed quarter prior to the date that you submit the application.

The actual review period will be set by the Commissioner if a review is initiated, and may differ to that used by the applicant in the application form.

**Required information**

1. Provide details of the name, street and postal address, of the applicant seeking the review.
2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.
3. Name other parties supporting this application.
4. Describe your interest as an affected party (e.g. are you concerned with the exportation of the goods, the importation of the goods, or part of the

Australian industry, or acting on behalf of the Government of an exporting country).

5. Provide details of the current anti-dumping measure(s) the subject of this review application and the goods subject to the measure(s), including:
- tariff classification
  - the countries and/or companies
  - specified date of publication of the measure
6. If you are an exporter of the goods the subject of this application please answer the following questions:
- Have you exported the goods to Australia during the review period?
    - o If yes, what was the total quantity and total value of the goods exported to Australia during the review period?
  - Have you previously (prior to the review period) exported the goods to Australia?
    - o If yes, please provide the total quantity and total value of the goods exported to Australia each year during the three years prior to the review period.
  - Have you exported like goods to countries other than Australia during the review period?
    - o If yes, please provide the total quantity and total value of exports of the goods to each other country during the review period. Please indicate if any of the sales are to a related party.

*NB: In relation to the goods the subject of this application, 'like goods' means goods that are identical in all respects to the goods the subject of this application or, although not alike in all respects to the goods the subject of this application, have characteristics closely resembling those goods (s 269T(1) refers).*

*NB: Please note you must provide this information if you are an exporter of the goods the subject of the application. If you are not an exporter of the goods, you may choose to provide information relevant to this question.*

7. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters and/or users.

**Applications  
for review of  
variable  
factors**

If you are applying for a variable factors review (in box 1 above) provide a detailed statement setting out your reasons. Include information about:

- the factor(s) you wish to have reviewed;
- the amount by which that factor is likely to have changed since anti-dumping measures were last imposed, and evidence in support; and
- in your opinion the causes of the change and whether these causes are likely to persist.

**Application  
for a  
revocation  
review**

If you are applying for a revocation review (in box 2 above), provide a detailed statement setting out your reasons.

Include evidence in support of your view that there are reasonable grounds

for asserting that the measures are no longer warranted. Refer to the *'Instructions and guidelines for applicants: Application for review or revocation of measures'* as part of preparing your response. If you consider anti-dumping measures are no longer warranted because of:

- *no dumping or no subsidisation*: provide evidence that there is no dumping, or no subsidy, and why dumping or subsidisation is unlikely to recur if measures were revoked.
- *no injury*: provide evidence that there is no current injury, and there is unlikely to be a recurrence of injury if the measures were to be revoked.

**Lodgement of the application**

In accordance with subsection 269SMS(2) of the Act, this application, together with the supporting evidence, must be lodged by either:

- preferably, email, using the email address [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au), or
- post to:  
  
The Commissioner of the Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601, or
- facsimile, using the number (03) 8539 2499 (or +61 3 8539 2499 if outside Australia)

**Public Record**

During a review all interested parties are given the opportunity to defend their interests, by making a submission. The Commission maintains a public record of these submissions. The public record is available on the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

At the time of making the application both a confidential version (for official use only) and non-confidential version (public record) of the application must be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence, clearly showing the reasons for seeking the review, or, if those reasons cannot be summarised, a statement of reasons why summarisation is not possible. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.

**PUBLIC VERSION**

**APPLICATION FOR REVIEW OF VARIABLE FACTORS**

**REQUIRED INFORMATION**

**1. Applicant:**

Company: Jiangyin Xingcheng Magotteaux Steel Balls Co., Ltd. "Xingcheng Magotteaux"  
Address: No. 1 Changshan Road, Jiangyin City, PRC.

**2. Contact person:**

Name: BAO Shaojun  
Position: General Manager  
Phone: +86 18651500070  
Email: [baoshaojun@citicsteel.com](mailto:baoshaojun@citicsteel.com)

**Applicant's representative**

Name: Mr John Bracic  
Company: J.Bracic & Associates Pty Ltd  
Address: PO Box 3026  
Manuka, ACT 2603  
Tel: +61 (0)499 056 729  
Email: [john@jbracic.com.au](mailto:john@jbracic.com.au)

**3. Other parties supporting this application:**

Not applicable.

**4. Applicant's interest:**

Xingcheng Magotteaux is a producer and exporter of grinding balls from China.

**5. Details of current anti-dumping measures:**

The current measures were imposed pursuant to Anti-Dumping Notice No. 2016/90 and Anti Dumping Notice No. 2016/91. The goods subject to these duty notices are:

*Ferrous grinding balls, whether or not containing alloys. Cast or forged, with diameters in the range 22mm to 170mm (inclusive).*

**Tariff classification:**

Goods subject to measures are classified to the tariff sub-headings and associated statistical codes below:

| Tariff subheading | Statistical code |
|-------------------|------------------|
| 7325.91.00        | 26               |
| 7326.11.00        | 29               |
| 7326.90.90        | 60               |

**Country subject to the notice:**

The Peoples Republic of China

**Date of publication of the notice:**

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The publication date of the original notice was 9 September 2016, with an effective date of 10 September 2016.

**6. Exports by Xingcheng Magotteaux:**

- Have you exported the goods to Australia during the review period?

Yes. Xingcheng Magotteaux has exported grinding balls to Australia during the expected review period.

- o If yes, what was the total quantity and total value of the goods exported to Australia during the review period?

| Exports to Australia |              |              |
|----------------------|--------------|--------------|
| Period               | Value (US\$) | Volume (ton) |
| XXXXX                | XXXXXX       | XXXX         |

- Have you previously (prior to the review period) exported the goods to Australia?

No. Xingcheng Magotteaux has not exported grinding balls to Australia prior to the expected review period.

- o If yes, please provide the total quantity and total value of the goods exported to Australia each year during the three years prior to the review period.

- Have you exported like goods to countries other than Australia during the review period?

Yes Xingcheng Magotteaux has exported grinding balls to other countries during the expected review period.

- o If yes, please provide the total quantity and total value of exports of the goods to each other country during the review period. Please indicate if any of the sales are to a related party.

| Exports to other countries in 2020 |            |              |
|------------------------------------|------------|--------------|
| Country                            | Value      | Volume (ton) |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
| XXXXXXXXXX                         | XXXXXXXXXX | XXXXXXXXXX   |
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**PUBLIC VERSION**

|            |            |            |
|------------|------------|------------|
| XXXXXXXXXX | XXXXXXXXXX | XXXXXXXXXX |
| XXXXXXXXXX | XXXXXXXXXX | XXXXXXXXXX |
| XXXXXXXXXX | XXXXXXXXXX | XXXXXXXXXX |

**7. Details of interested parties**

Australian producer is Commonwealth Steel Company Pty Ltd trading as “Molycop”.  
2 Maude Street, Waratah NSW 2298

**GROUNDINGS FOR REVIEW**

Xingcheng Magotteaux submits that at least one of its relevant variable factors has changed since the measures were last reviewed on 12 November 2020, as set out in Report 520.

**1.1 ASCERTAINED EXPORT PRICE**

**Basis for current ascertained export prices**

The current dumping duty applicable to Xingcheng Magotteaux's exports are based on an ascertained export price determined in REP 520 in accordance with s.269TAB(3) of the Act, being the lowest weighted average export price of those established for cooperating exporters, with the export price representing the lowest actual export price to Australia. The ascertained export price was US\$XXX per tonne.

**Grounds for review of ascertained export prices**

The ascertained export prices applicable to Xingcheng Magotteaux's exports reflects the country-wide non-cooperative export price. As Xingcheng Magotteaux did not have exports during the review period relevant to REP 520, it was not individually investigated.

Since the revision of measures from REP 520, Xingcheng Magotteaux has exported the subject goods to Australia in April 2021. Xingcheng Magotteaux's export documentation is included at **Confidential Attachment 1**. Using that information, a weighted average export price of US\$XXX per tonne has been calculated for the expected review period of calendar year 2021, which reflects the CIF price of US\$XXX per tonne less US\$XXX per tonne for ocean freight. The contemporary export prices show a XX% increase in the ascertained export price.

In Xingcheng Magotteaux's opinion, the observed steady increase in steel billet prices in 2021 are likely to continue into the foreseeable future given the continued supply constraints being experienced, along with the elevated iron ore prices.

**Conclusion**

On the basis of the attached evidence supporting the contemporary export prices of grinding balls exported, Xingcheng Magotteaux considers that there appears to be reasonable grounds for asserting that the ascertained export price relevant to the taking of anti-dumping measures have changed.

**1.2 ASCERTAINED NORMAL VALUE**

**Basis for current ascertained normal values**

The current dumping duty applicable to Xingcheng Magotteaux's exports are based on an ascertained normal value determined in REP 520 in accordance with s.269TAC(6) of the Act, being the highest weighted average normal value of those established for cooperating exporters. Based on the interim dumping duty rate of 27.1%, it is estimated that the ascertained normal value is approximately US\$XXX per tonne.

**Grounds for review of ascertained normal values**

In estimating contemporary normal values, Xingcheng Magotteaux has relied on the normal values calculated by the Commission in the recent continuation inquiry (REP 569). This referenced a period ending the September quarter 2020. Using the weighted average normal

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value from REP 569, a timing adjustment was made based on the indexed movement in billet prices between September 2020 and April 2021, when the export sale was made.

Using published articles from Fastmarkets MB (refer to **Confidential Attachment 2**), Asian regional billet prices in September 2020 and April 2021, were US\$XXX/mt and US\$XXX/mt respectively, representing a XX% increase over the period. Indexing Xingcheng Magotteaux's normal value from REP 569, this amounts to an estimate normal value of US\$XXX per tonne for the same period as the export sale.

In Xingcheng Magotteaux's opinion, normal values at these recent levels are likely to persist given the continued global supply chain disruptions and elevated iron ore pricing.

### **Conclusion**

Xingcheng Magotteaux considers that the submitted evidence supports the view that there appears to be reasonable grounds for asserting that the ascertained normal value relevant to the taking of anti-dumping measures has changed.

### **1.3 CONTEMPORARY DUMPING MARGIN**

Based on the calculated contemporary FOB export price and FOB normal value, the change in the variable factors is approximately:

- FOB Export price = US\$XXX per tonne (change in AEP of approximately US\$XXX per tonne)
- FOB Normal Value = US\$XXX per tonne (change in ANV of approximately US\$XXX per tonne)

### **1.4 COUNTERAVAILABLE SUBSIDY**

#### **Basis for current countervailable subsidy**

The current countervailing duty rate applicable to Xingcheng Magotteaux's exports is 6.9%. As the Commission did not receive a response from the Government of China in REP 520, it determined that all 66 of the investigated subsidy programs were countervailable in respect of non-cooperating exporters.

#### **Grounds for review of ascertained normal values**

In REP 569, the Commission investigated and determined that Xingcheng Magotteaux had not received countervailable subsidies during the nominated inquiry period. It determined the subsidy margin applicable to Xingcheng Magotteaux was zero per cent.

On the basis of this most recent verified information by the Commission, it is clear that the amount of countervailing subsidies has changed in so far as it relates to Xingcheng Magotteaux.