



Customs Act 1901 – Part XV B

## **ANTI-DUMPING NOTICE NO. 2022/003**

### **Grinding Balls**

**Exported to Australia from the People’s Republic of China**

**Initiation of a Review of Anti-Dumping Measures No. 596**

*Notice under section 269ZC(4) of the Customs Act 1901 (Cth)*

I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission (the Commissioner) have initiated a review of the anti-dumping measures applying to grinding balls exported to Australia from the People’s Republic of China (China). The review will be limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect Jiangyin Xingcheng Magotteaux Steel Balls Co Ltd (Xingcheng Magotteaux) should be varied.

#### **The goods**

The goods subject to anti-dumping measures (the goods), in the form of dumping duty and countervailing notices (the notices), are outlined in the tables below. Further details on the goods and existing measures, including certain goods exempted from the measures, is available on the Dumping Commodity Register on the Anti-Dumping Commission (the commission) website ([www.adcommission.gov.au](http://www.adcommission.gov.au)).

<b>Full description of the goods the subject of the notice</b>
In relation to <b>China</b> , the goods are: Ferrous grinding balls, whether or not containing alloys. Cast or forged, with diameters in the range 22mm to 170mm (inclusive).
<b>Further information in relation to the goods</b>
The goods covered include all ferrous grinding balls, typically used for the comminution of metalliferous ores, meeting the above description of the goods, regardless of the particular grade or alloy content. Goods that are excluded include stainless steel balls, precision balls that have been machined and/or polished, and ball bearings.

**Table 1: Goods description**

Tariff classification
<p>The goods are generally, but not exclusively, classified to the following tariff classifications in Schedule 3 of the <i>Customs Tariff Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• 7325.91.00 statistical code 26;</li> <li>• 7326.11.00 statistical code 29;</li> <li>• 7326.90.90 statistical code 60.</li> </ul>

**Table 2: Tariff classifications of the goods**

### **Background to the measures**

Case	ADN No.	ADN Published	Country of Export	Findings
316 (Investigation)	ADN Nos. 2016/090 and 2016/091	9 September 2016	China	Measures imposed
EX0052 (Exemption)	ADN No. 2017/106	20 July 2017	China	Exemption not granted
476 (Accelerated Review)	ADN No. 2018/117	20 August 2018	China	Measures imposed
491 (Accelerated Review)	ADN No. 2018/137	10 September 2018	China	Review terminated
502 (Accelerated Review)	ADN No. 2019/038	4 April 2019	China	Measures imposed
511 (Accelerated Review)	ADN No. 2019/097	22 July 2019	China	Review terminated
512 (Accelerated Review)	ADN No. 2019/098	26 August 2019	China	Measures imposed
520 (Review)	ADN No. 2020/117	12 November 2020	China	Measures altered
533 (Accelerated Review)	ADN No. 2020/015	3 March 2020	China	Measures imposed
569 (Continuation)	ADN No. 2021/095	10 September 2021	China	Measures continued

**Table 3: History of measures**

### **The current review**

An application was lodged by Xingcheng Magotteaux under section 269ZA(1) of the *Customs Act 1901* (Cth) (the Act)<sup>1</sup> for a review of the anti-dumping measures in relation to grinding balls exported to Australia from China.

The reasons for my decision not to reject the application for review are set out in *Anti-Dumping Commission Review of Measures Application Consideration Assessment No.596*, which has been placed on the public record.

The review period is 1 January 2021 to 31 December 2021 and relates to Xingcheng Magotteaux. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After conducting the review, I will recommend to the Minister for Industry, Energy and Emissions Reduction (the Minister) that the dumping duty notice:

- i. remain unaltered; or
- ii. have effect as if different variable factors had been ascertained.

<sup>1</sup> Unless otherwise indicated, all legislative references are to the *Customs Act 1901*.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that the anti-dumping measures are no longer warranted, that party may lodge an application<sup>2</sup> no later than **27 March 2022** to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

### **Proposed model control code structure**

The commission undertakes model matching using a Model Control Code (MCC) structure to identify key characteristics that will be used to compare the goods exported to Australia and the like goods sold domestically in the country of export.<sup>3</sup>

The table below outlines the commission's proposed MCC structure for this review.

Item	Category	Sub-category	Identifier	Sales Data	Cost Data
1	Production method	Cast	C	Mandatory	Mandatory
		Forged	F		
2	Diameter	Diameter in mm	### <sup>4</sup>	Mandatory	Mandatory
3	Product code	Internal grade/model	### <sup>5</sup>	Mandatory	Optional

**Table 4: MCC structure**

Interested parties are encouraged to make submissions on the proposed MCC structure and whether proposed modifications to the MCC structure should be accepted by the commission. Any changes to the MCC structure will be considered by the commission and reported in verification reports or in the statement of essential facts (SEF).

Proposals to modify the proposed MCC structure should be raised as soon as is practicable, but no later than **27 March 2022**, the day submissions concerning the review of the measures are due.

### **Future Reviews**

Under section 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measure or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice or the countervailing duty notice that is the subject of this review cannot be made for a period of 12 months.

### **Public Record**

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record are available at [www.adcommission.gov.au](http://www.adcommission.gov.au)

<sup>2</sup> In accordance with section 269ZCB of the Act.

<sup>3</sup> Guidance on the commission's approach to model matching is in the Dumping and Subsidy Manual, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

<sup>4</sup> Use a separate identifier for each diameter, e.g. 25 mm, 30 mm, 35 mm etc. The commission may group certain categories of diameter in formulating a final MCC.

<sup>5</sup> The 'product code' category, if applicable, refers to the company's internal identifier for the model, grade or type of the goods, differentiated by the chemical composition of the grinding ball.

## **Lodgment of submissions**

Interested parties, as defined by section 269T(1), are invited to lodge written submissions concerning this review, no later than the close of business on **27 March 2022**, addressed to:

The Director - Investigations 2  
GPO Box 2013  
CANBERRA ACT 2601

or email:

[investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au)

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the SEF on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "OFFICIAL: Sensitive".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

## **Statement of Essential Facts**

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Minister within the legislative timeframe. A SEF will be placed on the public record by **8 June 2022**, or by such later date as allowed in accordance with section 269ZHI.<sup>6</sup> The SEF will set out the essential facts on which I propose to base a recommendation to the Minister. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

## **Report to the Minister**

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Minister. A recommendation to the Minister will be made in a report on or before **23 July 2022** (or such later date as allowed under section 269ZHI).

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<sup>6</sup> On 14 January 2017, the then Parliamentary Secretary delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner. Refer to [Anti-Dumping Notice No. 2017/10](#) for further information.

**Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2440 or [investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au).

Dr Bradley Armstrong PSM  
Commissioner  
Anti-Dumping Commission

**23 December 2021**