



**Australian Government**  
**Anti-Dumping Review Panel**

*Customs Act 1901*

Notice under section 269ZZI

**Dichlorophenoxy-acetic acid exported from the People's Republic of China**

The Anti-Dumping Review Panel (ADRP) has received an application from Shandong Weifang Rainbow Chemical Co., Ltd (Rainbow) for review of a decision (Reviewable Decision) by the Parliamentary Secretary to the Minister for Jobs and Innovation to secure the continuation of anti-dumping measures currently applying to Dichlorophenoxy-acetic acid exported from the People's Republic of China.

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 5 March 2018 ([ADN 2018/21](#)).

The ADRP is satisfied that the following grounds are reasonable grounds for the reviewable decision not being the correct or preferable decision:

1. A VAT based adjustment should not have been made in calculating the normal value for Rainbow's Australian sales.
2. In the alternative, even if a VAT adjustment was required, the adjustment had not been calculated correctly.
3. The ADC's determination of profit under Regulation 45(2) of the Customs (International Obligations) Regulation 2015 by using data relating to the production and sale of like goods by the exporter in the ordinary course of trade was not the correct or preferable decision.
4. In the alternative, Rainbow submits that Regulation 45(2) was not the correct or reasonable basis for calculating the normal value, because Rainbow's domestic sale of 2,4-D was not in the ordinary course of trade

The goods to which this review relates are:

*Dichlorophenoxy-acetic acid (2,4-D) is a selective herbicide and is exported to Australia from China mainly in the forms of 2,4-D acid and 2,4-D ester.*

*The 2,4-D covered by the anti-dumping measures includes:*

- *Sodium salt;*
- *2,4-D acid;*
- *2,4-D intermediate products (salts and esters), including:*
  - *iso butyl ester technical;*
  - *ethyl ester technical;*
  - *2 ethyl hexyl ester technical;*
  - *dimethylamine (DMA); and*
  - *iso-propylamine (IPA);*
- *2,4-D fully formulated products; and*
- *all other forms of 2,4-D.*

The ADRP proposes to conduct a review of the decision.

Submissions

Interested parties have **30 days** from the date this notice is published to provide the ADRP with a submission.

If your submission contains confidential information, you must provide a public version that can be published on the ADRP website. Failure to do so will result in your submission not being considered.

You may either email your submission to [ADRP@industry.gov.au](mailto:ADRP@industry.gov.au) or mail the submission to –

Anti-Dumping Review Panel Secretariat  
GPO Box 2013  
Canberra City ACT 2601

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the grounds for seeking review in full, and other documents are available on the public record of the review at [www.adreviewpanel.gov.au](http://www.adreviewpanel.gov.au)

The reports of the original investigation are available on the ADC website at [www.adcommission.gov.au](http://www.adcommission.gov.au)

Joan Fitzhenry  
Senior Panel Member  
Anti-Dumping Review Panel  
16 April 2018