



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Deep Drawn Stainless Steel Sinks exported from the People's Republic of China

The Anti-Dumping Review Panel (Review Panel) received two applications from Primy Corporation Limited (Primy Corporation) and Zhuhai Grand Kitchenware Co., Ltd (Zhuhai Grand) seeking a review of a decision by the Minister for Industry, Science and Technology, made under section 269ZH(1) of the *Customs Act 1901* (the Act), in respect of Deep Drawn Stainless Steel Sinks exported from the People's Republic of China (the Reviewable Decision).

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 28 February 2020 (ADN 2020/003).

The Review Panel is satisfied that the following grounds are reasonable grounds for the Reviewable Decision not being the correct or preferable decision:

Primy Corporation

1. The adjustment by the ADC for the differences in accessories in the domestic sales price of like product and the export price failed to include the profit margin realised on domestic sales of like goods in the ordinary course of trade, and thus was not in line with the requirements under section 269TAC(8) of the Act to ensure a fair comparison between normal value and export price.

Zhuhai Grand

1. In ADN 2020/003, the ADC incorrectly stated a dumping margin of 13.4% for Zhuhai Grand. The margin was calculated by the ADC to be 13.2% in Report 517's "Confidential Appendix 5 – Dumping Margin"; and
2. Adjustments made to account for the physical differences between like goods and the goods exported to Australia, under section 269TAC(8) of the Act, incorrectly relied on 'surrogate domestic sales products' rather than domestic sales of like goods, resulting in an artificial inflation of the dumping margin; and
3. In determining Zhuhai Grand's normal value, the ADC incorrectly rejected Zhuhai Grand's cost of a major raw material import, stainless steel, and substituted a "benchmark SBB European and North American average prices, on delivered terms, for grade 304 stainless steel CRC." This substituted cost artificially increased Zhuhai Grand's cost of stainless steel and had adverse consequential

impacts upon the application of the ordinary course of trade test, the determination of the dumping margin and ultimately upon the decision to continue the measures against Zhuhai Grand.

The Review Panel proposes to conduct a review of the Reviewable Decision in relation to the above grounds.

The goods to which these applications relate are:

Deep drawn stainless steel sinks with a single deep drawn bowl having a volume of between 7 and 70 litres (inclusive), or multiple drawn bowls having a combined volume of between 12 and 70 litres (inclusive), with or without integrated drain boards, whether finished or unfinished, regardless of type of finish, gauge, or grade of stainless steel and whether or not including accessories;

stainless steel sinks with multiple deep drawn bowls that are joined through a welding operation to form one unit; and

deep drawn stainless steel sinks whether or not that are sold in conjunction with accessories such as mounting clips, fasteners, seals, sound-deadening pads, faucets (whether attached or unattached), strainers, strainer sets, rinsing baskets, bottom grids, or other accessories.

Stainless steel sinks with fabricated bowls are excluded from the goods covered.

Submissions

Interested parties have 30 days from the date on which this notice is published to provide the Review Panel with a submission. Your submission should indicate your eligibility to make a submission as either an interested party to the Reviewable Decision or as one of the specified entities under section 269ZZJ of the Act.

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

You may either email your submission to ADRP@industry.gov.au or mail the submission to:

Anti-Dumping Review Panel
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

The reports of the original investigation are available on the ADC website at www.adcommission.gov.au

Paul O'Connor
Panel Member
Anti-Dumping Review Panel
6 April 2020