



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

*Customs Act 1901*

Notice under section 269ZZI

**Grinding Balls exported from the People's Republic of China**

The Anti-Dumping Review Panel (Review Panel) received applications seeking a review of a decision by the then Minister for Industry, Science and Technology made under section 269ZHG(1)(b) of the *Customs Act 1901* (the Act) to secure the continuation of anti-dumping measures applying to Grinding Balls exported from the People's Republic of China (the Reviewable Decision). Applications for review of the Reviewable Decision were made on behalf of:

- Jiangyin Xingcheng Magotteaux Steel Balls Co Ltd (Xingcheng Magotteaux);
- Changshu Longte Grinding Ball Co., Ltd (Changshu); and
- Compañía Electro Metalúrgica S.A (ME Elecmetal).

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 8 September 2021 (ADN 2021/95).

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

Xingcheng Magotteaux

1. The Minister erred in securing the continuation of the anti-dumping measures and countervailing measures applying to grinding balls exported from China;
2. The Minister erred in not determining fixed different variable factors in relation to Xingcheng Magotteaux, pursuant to subsection 269ZHG(4)(a)(iii) of the Act; and
3. The Minister erred in not substituting the unaccepted Commission benchmark with his preferred alternative benchmark, in determining individual ascertained variable factors applicable to Xingcheng Magotteaux.

Changshu

1. The Minister erred in adopting the incorrect standard for determining whether measures should be continued;
2. The Minister erred in finding dumping 'likely' as this is not supported by evidence or law;
3. The Minister's critique of the benchmark is misconstrued; and
4. The Minister had no evidence or analysis to support the material injury finding.

ME Elecmetal

1. The Minister erred in adopting the incorrect standard for determining whether measures should be continued;

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2. The Minister erred in finding dumping 'likely' as this is not supported by evidence or law;
3. The Minister's critique of the benchmark is misconstrued; and
4. The Minister had no evidence or analysis to support the material injury finding.

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:

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

*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.*

### 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](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)

Jaclyne Fisher  
Member  
Anti-Dumping Review Panel  
25 October 2021

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