

28 September 2026

Director
Anti-Dumping Commission – Investigations
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Canberra ACT 2601

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Dear Director,

Accelerated Review No. 717 – Hollow structural sections exported from China by Jiangsu Zhenjiang New Energy Equipment Co., Ltd

Introduction

Orrcon Manufacturing Pty Ltd (**Orrcon**) makes this submission in Accelerated Review No. 717, which concerns Jiangsu Zhenjiang New Energy Equipment Co., Ltd (**Zhenjiang**), an applicant for new exporter status in relation to the dumping duty and countervailing duty notices applying to certain hollow structural sections (**HSS**) exported from China.

The Commission's initiation notice records that the application concerns goods to which the altered HSS measures apply, including goods classified to tariff subheading 7308.90.00, statistical code 65.¹ Zhenjiang's application states that the goods relevant to the application are steel torque tube elements for solar tracker systems exported to Australia by the applicant. The application further states that the goods are electric resistance welded pipe/tube of carbon or other alloy steel, classified or entered under tariff subheading 7308.90.00, statistical code 65, and include circular hollow sections with swaged ends and/or holes at the end or along the length of the section.²

The application identifies Zhenjiang as the exporter of the goods. It further states that Zhenjiang manufactures the steel torque tube elements through a subcontract manufacturer, which performs manufacturing activities including tube rolling, welding, cutting, straightening, swaging and drilling. Zhenjiang exports the goods to Australia under purchase orders and contracts with customers and is the exporter of record unless otherwise stated.³

In this submission, Orrcon addresses:

1. the analytical approach relevant to determining the variable factors applicable to Zhenjiang;
2. the applicant-specific information that the Commission should examine and verify, including information concerning the subcontract manufacturer and the complete production and export chain; and
3. the application of the operative goods description following Anti-Circumvention Inquiry No. 685.

REP 590 provides a relevant analytical starting point

Report No. 590 (**REP 590**) contains the Commission's most recent comprehensive examination of dumping and subsidisation in relation to Chinese exporters of the HSS goods.⁴ REP 590 therefore provides a relevant analytical

¹ Anti-Dumping Notice No. 2026/128, 8 September 2026, pp. 1 to 3 and 6.

² Jiangsu Zhenjiang New Energy Equipment Co., Ltd, Non-Confidential Application for Accelerated Review No. 717, response to Question 1.

³ Jiangsu Zhenjiang New Energy Equipment Co., Ltd, Non-Confidential Application for Accelerated Review No. 717, response to Question 4.

⁴ Anti-Dumping Commission Report No. 590, 27 May 2022, chapters 1,7,8 and 12 and non-confidential Appendices A to D.

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starting point for determining the variable factors applicable to Zhenjiang, subject to the Commission's assessment of reliable information relating to Zhenjiang, the subcontract manufacturer, the complete production and export chain and the current review period, being 1 July 2025 to 30 June 2026, including verified information where available.

In REP 590, the Commission found that a particular market situation (**PMS**) existed in the Chinese domestic market for the goods.⁵ The Commission also considered whether domestic sales in that market provided a suitable basis for determining a normal value under subsection 269TAC(1) of the *Customs Act 1901* (**the Act**) that would permit a proper comparison with the export price.⁶ The Commission concluded that the relevant domestic sales were unsuitable for that purpose.

The Commission accordingly constructed normal values under paragraph 269TAC(2)(c), including by adjusting Chinese hot-rolled coil (**HRC**) input costs by reference to an international benchmark to account for the effect of the PMS on those input costs.⁷ HRC is the principal material input in the production of HSS, including HSS processed into torque tube elements.

REP 590 also found that certain Chinese producers of the goods received countervailable subsidies. These included benefits under Program 20, which concerned HRC provided by Chinese steel mills that the Commission found to be public bodies for less than adequate remuneration, measured against a competitive international benchmark.⁸ The Commission had regard to those findings when determining the relevant countervailing variable factors.

The Commission subsequently examined HRC exported from China in Investigation No. 658. Report No. 658 (**REP 658**) found that a PMS existed in the Chinese domestic market for HRC during the investigation period from 1 October 2023 to 30 September 2024 and that government involvement had materially contributed to overcapacity, oversupply and distortion in the Chinese steel industry.⁹ The Commission also made exporter-specific findings concerning countervailable subsidisation. Those findings included the termination of the subsidy investigation for the four selected exporters because their levels of subsidisation were negligible, while the Commission found non-negligible subsidisation for all other exporters using all facts available and reasonable assumptions.¹⁰

The PMS finding in REP 658 may provide more recent contextual evidence relevant to the Commission's assessment of the HRC input costs incurred by Zhenjiang, the subcontract manufacturer or another relevant participant in the complete production and export chain. The Commission should assess any countervailable subsidisation applicable to Zhenjiang or another relevant participant in the complete production and export chain separately, having regard to Zhenjiang-specific and entity-specific evidence and the differentiated subsidy findings in REP 658.

REP 658 also demonstrates the Commission's continued focus on exporter-specific evidence and verification when assessing domestic sales, production costs, and subsidisation. That approach is equally relevant in determining the variable factors applicable to Zhenjiang.

Under section 269ZG of the Act, the Commissioner must recommend whether the relevant notices should remain unaltered or should be altered to apply to Zhenjiang as if different variable factors had been fixed and must set out the reasons for that recommendation.¹¹ In performing that task, the Commission should determine the variable factors by reference to reliable information relevant to Zhenjiang, the subcontract manufacturer, the complete production and export chain and the review period, including verified information where available. In doing so, the Commission should have regard to the findings and methodologies in REP 590 to the extent that current evidence demonstrates their continuing relevance.

⁵ REP 590, non-confidential Appendix A, especially sections A1, A3 and A7.

⁶ REP 590, non-confidential Appendix B, especially sections B1, B2 and B6.

⁷ REP 590, chapter 7 and non-confidential Appendices A and C, especially sections A6.1, A6.2 and C2 to C4.

⁸ REP 590, chapter 8 and non-confidential Appendix D, section D2.1.

⁹ REP 658, 2 April 2026, EPR 658, document no. 44, non-confidential Appendix A, especially sections A1, A2 and A4.

¹⁰ REP 658, chapter 7, especially sections 7.1 and 7.6, and non-confidential Appendix D, including the findings concerning Programs 178 and 179.

¹¹ Customs Act 1901 (Cth), subsection 269ZG(1).

Orrcon submits that a consistent approach supports treating relevant earlier Commission findings and methodologies as a starting point unless evidence from Zhenjiang, the subcontract manufacturer, another relevant entity and the review period supports a different conclusion. Based on the public information currently available, and before completion of the Commission's verification process, Orrcon has not identified evidence demonstrating that the conditions underlying the REP 590 PMS finding or the application of the HRC benchmarking methodology have materially changed. Zhenjiang's status as a new exporter does not, by itself, establish that those findings and methodologies are no longer relevant.

Orrcon therefore submits that the Commission should:

1. assess the continuing relevance of the PMS finding and the effect of any PMS on the suitability of any domestic sales relevant to determining normal value, including domestic sales by Zhenjiang, the subcontract manufacturer or another relevant entity;
2. determine whether the recorded HRC and other material input costs of Zhenjiang, the subcontract manufacturer or another relevant entity reasonably reflect competitive market costs;
3. examine whether Zhenjiang, the subcontract manufacturer, any other entity identified during verification as participating in the production or export chain, any related entity or any relevant input supplier received countervailable subsidies; and
4. apply the methodologies adopted in REP 590 where verified evidence for Zhenjiang, the complete production and export chain and the review period supports their application.

The Commission should support any material departure from those findings or methodologies with sufficient reliable evidence relating to Zhenjiang, other relevant entities and the review period, together with a clear explanation for that departure.

Applicant-specific information

In applying that approach, the Commission should examine and verify:

- Zhenjiang's complete domestic and export sales data;
- the identity and role of each producer, exporter, subcontract manufacturer, trading entity and other entity involved in producing or exporting the goods;
- the ownership, control and relationship between Zhenjiang and the subcontract manufacturer;
- which entity purchases HRC and other material inputs and incurs manufacturing costs;
- the terms of transactions between Zhenjiang and the subcontract manufacturer and whether those transactions occur at arm's length;
- which entity holds the relevant production, procurement and accounting records;
- the identity and ownership status of each relevant entity's HRC suppliers;
- each relevant entity's HRC purchase prices and terms of supply;
- any relationships between Zhenjiang, its subcontract manufacturer, input suppliers, customers, trading entities or other entities involved in producing or exporting the goods;
- whether any domestic sales relevant to determining normal value, including domestic sales by Zhenjiang or any other entity identified during verification as holding the relevant sales information, are suitable for determining a normal value that permits a proper comparison with the export price;
- whether the recorded HRC and other input costs of Zhenjiang, the subcontract manufacturer or another relevant entity reasonably reflect competitive market costs;
- the production costs incurred by Zhenjiang and its subcontract manufacturer and the reconciliation of those costs to accounting, purchasing and production records; and
- any subsidies received by Zhenjiang, its subcontract manufacturer, their related entities and, where relevant under the Act, their input suppliers.

The application states that Zhenjiang manufactures the steel torque tube elements through a subcontract manufacturer.³ The Commission should therefore verify the identity and role of the subcontract manufacturer, the manufacturing activities undertaken by each entity, the allocation of production costs and the relationship between the entities involved in the production and export of the goods. Information held by the subcontract manufacturer may be necessary to determine production costs, production records, procurement arrangements, domestic sales

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information and any subsidies affecting the production of the goods. Those matters may be directly relevant to determining normal value, assessing production costs, examining HRC procurement and evaluating any countervailable subsidisation affecting the production of the goods.

Where the subcontract manufacturer performs the activities that transform HRC or another steel input into the exported goods, information relating to that entity may be necessary to assess the costs and circumstances of production. That information may include the subcontract manufacturer's input procurement records, production and inventory records, costs of manufacture, sales information, accounting records and information concerning any subsidies relevant to the production of the goods. The Commission should therefore verify the complete production and export chain and ensure that the variable factors determined for Zhenjiang reflect the activities and information of all entities that materially contribute to producing and exporting the goods.

Zhenjiang's sales, costs and other applicant-specific information will inform the calculation of its variable factors. Information held by the subcontract manufacturer or another relevant entity may also be necessary for that calculation. The existence of applicant-specific information does not, without further analysis, establish that the relevant market conditions differ from those identified in REP 590 or that the normal value methodology adopted in that report is no longer appropriate.

If Zhenjiang does not provide complete and verifiable information, including information held by the subcontract manufacturer or another relevant entity, the Commission should determine the applicable variable factors in accordance with the relevant provisions of the Act, having regard to all relevant information available to it. That information may include the verified findings and methodologies in REP 590, to the extent that the Commission considers them applicable to Zhenjiang and the review period.

Goods description following Anti-Circumvention Inquiry No. 685

Following the Minister's consideration of Report No. 685 (**REP 685**), Anti-Dumping Notice No. 2026/064 (**ADN 2026/064**) altered the dumping duty and countervailing duty notices to include specified electric resistance welded pipe and tube made of carbon or other alloy steel, classified to tariff subheading 7308.90.00, statistical code 65.

The operative description includes circular and non-circular HSS with holes created by drilling, punching, piercing, cutting or otherwise, whether at the end of the section, along its length, or both. The alteration applies on and after 4 September 2025.¹²

Under section 269ZG of the Act, the statutory outcomes available under this accelerated review concern whether the notices should remain unaltered or should apply to Zhenjiang as if different variable factors had been fixed. Orrcon therefore submits that this review does not provide a basis for revisiting the operative goods description established by ADN 2026/064 following the Minister's consideration of REP 685.

The Commission must nevertheless confirm that the goods to which Zhenjiang's application relates satisfy the complete operative goods description. Zhenjiang describes the goods relevant to the application as steel torque tube elements for solar tracker systems exported to Australia by the applicant. The application further states that the goods are electric resistance welded pipe/tube of carbon or other alloy steel, classified or entered under tariff subheading 7308.90.00, statistical code 65, and include circular hollow sections with swaged ends and/or holes at the end or along the length of the section.² On the basis of that description, and subject to verification of all elements of the operative goods description, the goods appear to fall within the notices.

Orrcon submits that the Commission should verify:

1. the goods' composition;
2. the method of manufacture and weld process;
3. the goods' physical characteristics and cross-sectional form;
4. the goods' dimensions;
5. the finish and coating;

¹² Anti-Dumping Notice No. 2026/064, 5 June 2026, pp. 2 to 4; Anti-Dumping Commission Report No. 685, 7 May 2026, chapters 5 and 6. ADN 2026/064 declares that the alterations apply on and after 4 September 2025.

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6. hole configuration, including the location and method of creation of the holes;
7. any swaging or other end-forming;
8. tariff classification and Australian statistical code; and
9. whether any exclusion or exemption applies.

against the complete operative goods description and conduct the accelerated review on that basis. The identity and role of the subcontract manufacturer and any other relevant entity involved in producing the goods should be verified as part of the Commission's examination of the complete production and export chain discussed above.

Manufacture to project-specific requirements or intended use in solar-tracker systems does not, by itself, remove goods that otherwise satisfy the complete operative goods description from the scope of the notices.

For and on behalf of Orrcon Manufacturing Pty Ltd