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**Government of India  
Department of Commerce  
Ministry of Commerce & Industry  
(Directorate General of Anti Dumping & Allied Duties)  
4th Floor, Jeevan Tara Building, Parliament Street**

**Dated: 2<sup>nd</sup> September, 2016**

**INITIATION NOTIFICATION**

**Subject: Initiation of Anti-Dumping Duty investigation concerning imports of “Normal Butanol” or “N-BUTYL ALCOHOL” originating in or exported from Saudi Arabia.**

F.No.14/20/2016 - DGAD: M/s The Andhra Petrochemicals Limited, (hereinafter referred to as ‘petitioner’ or ‘the applicant’) has filed an application (also referred to as petition) along with relevant information before the Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the ‘Act’) and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped articles and for Determination of injury) Rules, 1995 as amended from time to time (hereinafter referred to as the AD Rules) for initiation of Anti-Dumping Duty investigation concerning imports of Normal Butanol (hereinafter referred to as the subject goods or “NBA”) originating in or exported from Saudi Arabia (hereinafter also referred to as the subject country).

2. AND WHEREAS, the Authority finds that sufficient prima facie evidence of dumping of the subject goods originating in or exported from the subject country, ‘injury’ to the domestic industry and causal link between the dumping and ‘injury’ exists to justify initiation of an anti-dumping investigation. The Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of the Rules 5 of the AD Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty, which if levied, would be adequate to remove the ‘injury’ to the domestic industry.

**Domestic Industry & Standing**

3. The application has been filed by M/s The Andhra Petrochemicals Limited. The petitioner is the sole producer of the subject goods in the country. It is also noted that the production by the petitioner constitutes total Indian production of the like product produced in India. It is also noted that petitioner has neither imported the subject goods, nor are they related to an importer or exporter of the subject goods. It is, thus, determined that the application has been made by and on behalf of the domestic industry and the application satisfies the requirements of ‘standing’ under Rule 5 of the AD Rules. Further, the Applicant constitutes ‘Domestic Industry’ in terms of Rule 2(b) of the AD Rules.

### **Product under consideration**

4. The product under consideration in the present petition and proposed investigation is “Normal Butanol”. Normal Butanol is a basic organic chemical normally classified under Chapter 29 of the Customs Tariff Act. Normal Butanol is a primary alcohol with a 4-carbon structure and molecular formula C<sub>4</sub>H<sub>9</sub>OH. Normal Butanol is an excellent solvent for acid-curable lacquers and baking finishes derived from urea, melamine or phenolic resins. A large part of Normal Butanol is converted into derivatives for use as solvents in coating industries. This product is classified under Customs Tariff heading No. 29051300. However, the said Customs classification is indicative only and in no way binding on the scope of the present investigation.

### **Like Article**

5. The applicant has claimed that the subject goods, which are exported from subject country into India, are identical to the goods produced by the domestic industry. Normal Butanol produced by the domestic industry and imported from the subject country are comparable in terms of physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. Consumers can use and are using the two interchangeably. The two are technically and commercially substitutable and hence, should be treated as ‘like article’ under the AD Rules. Therefore, for the purpose of the present investigation, the subject goods produced by the applicant in India are being treated as ‘Like Article’ to the subject goods being imported from the subject country.

### **Subject Countries**

6. The country involved in the present investigation is Saudi Arabia.

### **Normal value**

7. The Petitioner has submitted that efforts were made to get information/evidence of price of subject goods in the domestic market of the subject country. However, petitioner was not able to get such information. The petitioner has, therefore, constructed normal value for the subject country taking into account the international price of major raw materials, best consumption norm of domestic industry, conversion and other cost as per domestic industry and reasonable profit margin. The Authority has examined the claim of the petitioner and notes that there is sufficient prima facie evidence of normal value of the subject goods in the subject country.

### **Export Price**

8. The applicant has claimed export price for product under consideration based on DGCI&S transaction-wise data to assess the volume and value of imports into India. Price adjustments have been made on account of ocean freight, marine insurance, commission, bank charges, port and handling expenses.

### **Dumping Margin**

9. The applicant has provided sufficient evidence that the normal value of the subject goods in the subject country are significantly higher than the corresponding net export price, prima-facie indicating that the subject goods originating in or exported from the subject country are being dumped, to justify initiation of the antidumping investigation.

### **Injury and Causal Link**

10. The applicant has claimed that they have suffered material injury and have furnished evidence regarding injury having taken place as a result of the alleged dumping from subject country in terms of increase in imports in absolute terms, decline in production, sales, capacity utilization, deterioration in profits, return on capital employed, cash profit etc. The applicant has also claimed adverse price effects as evidenced by price suppression and price undercutting/underselling. The Authority considers that there is sufficient evidence of 'injury' being suffered by the applicant caused by dumped imports of subject goods from subject country to justify initiation of an antidumping investigation.

### **Period of Investigation**

11. The period of investigation for the present investigation has been considered as 1.4.2015 to 31.3.2016. Further the injury investigation period will cover the periods April 2012 to March 2013, April 2013 to March 2014, April 2014 to March 2015 and the Period of Investigation (POI).

### **Submission of information**

12. The known exporters in the subject country and their Government through their Embassy in India, importers and users in India known to be concerned and the domestic industry are being informed separately to enable them to file relevant information in the form and manner prescribed. Any other interested party may also make its submissions relevant to the investigation within the time-limit set out below and write to:

The Designated Authority  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Anti Dumping & Allied Duties  
4th Floor, Jeevan Tara Building  
5, Parliament Street  
New Delhi-110001

### **Time limit**

13. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the 'facts available' on record in accordance with the AD Rules.

### **Submission of information on confidential basis**

14. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7(2) of the AD Rules for the confidential information provided as per Rule 7(1) of the AD Rules.

15. In case confidentiality is claimed on any part of the questionnaire response/submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc.) and (b) other set marked as Non-Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page.

16. Information supplied without any confidential marking shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies of the confidential version and five (05) copies of the non-confidential version must be submitted by all the interested parties.

17. For information claimed as confidential; the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed and/or why summarization of such information is not possible.

18. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out /summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, parties submitting the confidential information may indicate that such information is not susceptible to summarization; a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.

19. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. The Authority on being satisfied and accepting the need for confidentiality of the information provided; shall not disclose it to any party without specific authorization of the party providing such information.

20. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

### **Inspection of Public File**

21. In terms of rule 6(7) of the AD Rules, any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

### **Non-cooperation**

22. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Governments as deemed fit.

(A.K. Bhalla)  
Additional Secretary & Designated Authority