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Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
(Directorate General of Anti Dumping & Allied Duties)  
Udyog Bhawan, New Delhi

15<sup>th</sup> June 2012

No. 15/1/2012-DGAD

Initiation Notification  
(Sunset review)

Subject: Sunset review of Anti Dumping Duty imposed in respect of imports of Acetone originating in or exported from European Union, South Africa, Singapore and USA

**No.15/1/2012- DGAD** Whereas having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (herein after referred to as the AD Rules), the definitive anti-dumping duty was originally recommended vide notification No. 14/4/2006-DGAD dated 4<sup>th</sup> January, 2008 on import of Acetone (hereinafter referred to as the subject goods) originating in or exported from European Union, Taiwan, Singapore, South Africa and USA and whereas the Central Government issued its Notification 33/2008 - Customs, dated 11<sup>th</sup> March, 2008.

2. Whereas, M/s Hindustan Organic Chemicals Limited (HOCL) has filed an application in accordance with the Act and the AD Rules before the Designated Authority (Authority) alleging continued dumping of Acetone originating in or exported from European Union, Singapore, Taiwan, South Africa and USA and requested for review and continuation of the anti-dumping duties.

3. And whereas, the Designated Authority, in the meantime, concluded midterm review investigation against imports of subject goods from Taiwan and has vide Notification dated 10<sup>th</sup> April, 2012 recommended withdrawal of anti dumping duty from subject goods originating in or exported from Taiwan. The applicant, therefore, filed a revised application, alleging continued dumping of Acetone originating in or exported from European Union, Singapore, South Africa and USA (hereinafter referred to as subject countries) and has requested for review and continuation of the anti-dumping duties.

## **Domestic industry**

4. The application has been filed by M/s Hindustan Organic Chemicals Limited. As per the evidence available applicant has the standing to file the case for the anti dumping investigation on behalf of the domestic industry as per Rule 2(b) and 5(3) (a) of Anti dumping Rules.

## **Product under consideration and Like Article**

5. The product involved in the original investigation was 'Acetone'. This being a Sunset review, therefore, the investigation covers the product covered in the original investigation.

6. Acetone is organic chemical also known as Dimethyl Ketone and used in the manufacture of bulk pharmaceuticals, agro chemicals, dye stuffs, certain explosives and downstream chemicals. Acetone is classified under Chapter 29 of Custom Tariff Act under the sub-heading 29141100.

7. It is a basic organic chemical produced in single grade. It is a colourless liquid with an agreeable ether-like odour. It is used in numerous organic synthesis either as solvent or as an intermediate.

8. It is used in manufacture of bulk pharmaceuticals, agro-chemicals, dyestuffs, certain explosives and downstream chemicals. Acetone is specifically used in manufacture of Isophorone, Diacetone, Alcohol, Methyl Methacrylate and Bishphenol A. Besides this, it is used in manufacture of certain rubber chemicals or Oxy Acethylene Cellulose Acetate.

9. The domestic industry also produces Acetone having similar characteristics and specifications. No argument has been extended, by any interested party in the previous investigation, on the issue of product under consideration or like article and therefore, the Authority considers that the product being manufactured by the domestic industry is 'like article' to the product under consideration as per the AD Rules.

## **Initiation:**

10. Thus, in view of the duly substantiated application filed and in accordance with Section 9 A (5) of the Act, read with Rule 23 of the AD Rules, the Authority hereby initiates a Sunset review investigation, to review the need for continued imposition of the duties in force in respect of the subject goods and to examine whether the expiry of such duty is likely to lead to continuation or recurrence of dumping and injury to the domestic industry.

## **Country involved:**

11. The countries involved in this investigation are European Union, Singapore, South Africa and USA.

## **Period of Investigation:**

12. The Period of Investigation (POI) for the purpose of the present review is 1<sup>st</sup> January 2011 to 31<sup>st</sup> December 2011 (12 months). However, injury analysis shall cover the years 2008-

09, 2009-10, 2010-11 & POI. The data beyond POI may also be examined to determine the likelihood of dumping and injury.

**Procedure:**

13. The review covers all aspects of Notification No. 14/4/2006-DGAD, dated 4<sup>th</sup> January, 2008 (final findings of the original investigation).

**Submission of Information:**

14. The known exporters in the subject countries, the government of the subject countries through its embassy in India, the importers and users in India known to be concerned with the product are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Authority at the following address:

**Government of India  
Ministry of Commerce and Industry  
Directorate General of Anti-Dumping and Allied Duties  
Department of Commerce  
Room No.243, Udyog Bhawan,  
New Delhi-110107.**

Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below.

**Time Limit:**

15. Any information relating to the present review and any request for hearing should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days (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 its findings on the basis of the facts available on record in accordance with the AD Rules.

16. All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire's responses and offer their comments to the domestic industry's application regarding the need to continue or otherwise the AD measures within 40 days from the date of initiation of this investigation.

**Submission of information on confidential basis.**

17. In case confidentiality is claimed on any part of the questionnaire's 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.

18. Information supplied without any mark 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 each of the confidential version and the non-confidential version must be submitted.

19. 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.

20. 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, party submitting the confidential information may indicate that such information is not susceptible of summary; a statement of reasons why summarization is not possible, must be provided to the satisfaction of the Authority.

21. 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.

22. 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.

### **Inspection of public file:**

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

### **Non-cooperation**

24. 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.

**(Vijaylaxmi Joshi)**  
**Designated Authority**