

NO.15/2/2004-DGAD
Ministry of Commerce & Industry
(Department of Commerce)
(DIRECTORATE GENERAL OF ANTI-DUMPING AND
ALLIED DUTIES)

NOTIFICATION

New Delhi, The 10th March, 2004

Initiation (Mid-term Review)

Subject: Initiation of Mid-term Review of the definitive anti-dumping duty imposed on Potassium Permanganate originating in or exported from China P.R., Hong Kong and Chinese Taipei.

No. 15/2/2004-DGAD - The Designated Authority, having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on Dumped Articles and for Determination of Injury) Rules, 1995, recommended imposition of provisional Anti Dumping Duty on imports of Potassium Permanganate (hereinafter referred to as subject goods) originating in or exported from China P.R., Hong Kong and Chinese Taipei (hereinafter referred to as subject countries). The preliminary findings were published vide Notification no. 46/1/2000 dated 30th December 2000 and provisional duty was imposed on the subject goods vide Customs Notification No. 29/2001-Customs dated 12.03.2001. The Designated Authority came out with the final findings on 8th Sept 2001 and definitive antidumping duty was imposed by Customs vide Notification No: 113/2001 dated 01.11.2001 as amended by Notification No: 85/2003-Customs dated 27.05.2003.

2. Initiation

The Customs Tariff (Amendment) Act 1995 and the Rules made there under require the Authority to review from time to time, the need for continued imposition of Anti Dumping Duty and if it is satisfied on the basis of information received by it that there is no justification for continued imposition of such duty, the authority may recommend to the central government for its withdrawal.

One of the exporters of the subject goods from China PR i.e. M/s Groupstars Chemical (Yunan) China LLC, China PR, a joint venture between Yunan Province

Jianshui County Chemical Industry Factory, China PR' Groupstars Chemical LLC, USA and Beijing Zhonghui Yuantong Investment consultation Centre, Beijing has approached the authority for review of the antidumping duties levied on the subject goods on the grounds of changed circumstances.

On the basis of positive information submitted by the above mentioned applicant the Designated Authority considers that mid-term review of the Anti Dumping Duty in force would be appropriate in view of the changed circumstances brought to the notice to the authority by the exporter.

3. Product Under Consideration

The product 'üçö'÷çÿÿÿÿ□P{ \J÷ç Ú□ZP{ °i{ 'üçö'÷çÿÿÿÿ□P{ \J÷ç â□ZP{ °i{ 'üçö'÷çÿÿÿÿ□P{ \J÷ç Ú□Zs an inorganic chemical. Potassium Permanganate is a dark purple crystalline material. It is a compound of manganese, potassium and oxygen. The product is odourless and soluble in water. The chemical formula of Potassium Permanganate is $KMnO_4$. The product is classified under custom sub-heading 2841.61 of the Custom Tariff Act, 1975. The classification is however indicative only and in no way binding on the scope of the present investigations.

4. Procedure

Having decided to review the final findings notified vide Notification No: 46/1/2000-DGAD dated 8th Sept, 2001 and definitive duty imposed by Notification No 113/2001-Cus. dated 01.11.2001 as amended vide Notification No. 85/2003-Customs dated 27.05.2003, the Authority hereby initiates investigations in accordance with the Customs Tariff (Amendment) Act, 1995 and the Customs Tariff (Identification, Assessment & Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 to review the need for continued imposition of the antidumping duty. The authority will examine whether the continued imposition of the duties necessary to offset dumping, whether the injury would be likely to continue or recur if the duty were removed or varied, or both.

5. The review will cover all aspects of Notification No. 46/1/2000-DGAD dated 8th Sept 2001.

6. The period of investigation for the purpose of the present review is 01.01.2003 to 31.12.2003.

7. Submission of Information:

The exporters in subject countries, their governments through their embassies in India, the importers and users in India known to be concerned and the domestic industry are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Authority in the following address:

The Designated Authority
Directorate General of Anti-Dumping and Allied Duties
Department of Commerce
Udyog Bhavan
New Delhi-110011.

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.

8. Time Limit:

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 review notification. If no information is received within the prescribed time limit or the information received is incomplete, the Designated Authority may record its findings on the basis of the facts available on record in accordance with the Rules supra.

9. Inspection of Public File:

In terms of Rules 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties. In case where an interested party refuses access to, or 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 Government as deemed fit.

(Abhijit Sengupta)
Designated Authority