

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties

New Delhi, the 17th July, 2009.

NOTIFICATION

Subject: Sunset Review of anti-dumping investigations concerning imports of 6-Hexanelactum from Japan, European Union, Nigeria and Thailand into India – Termination Of Investigation.

No.15/31/2008-DGAD - Having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury), Rules, 1995, thereof, the Designated Authority (hereinafter also referred to as Authority), under the above Rules, had initiated a Sunset Review investigation vide Notification dated the 22nd April, 2009 to examine whether the expiry of duty on **6-Hexanelactum** (here in after referred to as subject goods), from **Japan, European Union, Nigeria and Thailand** (here in after referred to as subject countries), is likely to lead to continuation or recurrence of dumping and injury to the domestic industry. The investigation was initiated based upon the directions of Hon'ble High Court of Delhi in WP No. 16893 of 2006 where the Hon'ble High Court held that sunset review is mandatory.

2. And whereas, pursuant to the above initiation, the Central Government, vide Notification No.66/2009-Customs dated 16th June, 2009 extended Anti-Dumping Duty, already in place on the imports of subject goods from subject countries into India.

3. The Authority requested the domestic industry vide letter dated 27th April 2009, enclosing a copy of the sunset review investigation initiation notification dated 22nd April, 2009 and application pro-forma, to submit relevant information in the form and manner prescribed and to make their views known to the Authority relating to the present review to enable the Authority to proceed further with the investigation. The domestic industry has now made a written submission that they are not making an application for extension of anti dumping duties and have further requested that present investigation need not be pursued further.

4. Section 9A (5) of the Customs Tariff Act provides that the anti-dumping duty imposed shall, cease to have effect on the expiry of five years from the date of such imposition, provided that the Central Government, in a review, is of the opinion that the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury. In the instant case, the domestic industry having made a written request that the investigation need not be pursued further, the Authority hereby terminates the subject review investigation on import of subject goods from subject countries and recommends that the anti-dumping duties on the imports of 6- Hexanelactum from Japan, European Union, Nigeria and Thailand into India, may be discontinued.

R. Gopalan
Designated Authority