

**TO BE PUBLISHED IN THE GAZETTE OF INDIA – EXTRAORDINARY-
PART-I, SECTION-1**

**Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Anti Dumping & Allied Duties)**

March 31, 2009

Initiation Notification

(Sunset Review)

Sub: Sunset Review of anti-dumping duty imposed against PVC Paste Resin originating in or exported from European Union.

No.15/27/2008--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 (hereinafter referred to as the AD Rules), the definitive anti-dumping duty was originally imposed vide notification No.104/2004-Customs, dated the 7th October 2004 on import of PVC Paste Resin (hereinafter referred to as subject goods) originating in or exported from European Union (hereinafter referred to as the subject country/territory).

2. Product under consideration

The product under consideration in the original case was "Poly Vinyl Chloride Paste Resin' also called Emulsion PVC Resin and referred to as PVC Paste Resin. The product under consideration remains the same for the purposes of this Sunset Review investigation (hereinafter also referred to as the subject goods). The PVC Paste Resin is produced from Vinyl Chloride Monomer (VCM). VCM is produced using EDC, which in turn requires chlorine as one of the major products. The subject goods is produced and sold in the form of white/off-white powder. The properties of the product are described in terms of K value, inherent viscosity, particle size retention, heat loss, initial BFB etc. All grades are subject matter of present investigation and are within the scope of product under consideration. Common applications of PVC Paste Resin are artificial leather (Rexene, coated fabrics, tarpaulins, conveyer beltings, toys, automotive sealant, adhesives etc. The subject good is processed at consumer end, by mixing liquid

plasticizers like DOP to form free flowing mixtures. These mixtures or pastes are formed to suitable shapes or coated on sub straits like textiles. The subject good is classified under chapter 39 of the Customs tariff head within the Customs sub-heading 39042110.

3. Initiation:

In view of the order of the Hon'ble Delhi High court in the matter of Indian Metal and Ferro Alloys Ltd V/s Designated Authority, Writ Petition (Civil) No. 16893 of 2006 and in accordance with Section 9 A (5) of the Act, read with Rule 23 of Antidumping Rules, the Authority hereby initiates a sunset review investigation to review the need for continued imposition of duties in force and to examine whether the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury.

4. Country/territory involved:

The country/territory involved in this investigation is European Union.

5. Period of Investigation:

The Period of Investigation (POI) for the purpose of the present review is 1st April 2008 to 31st March 2009 (12 months). However, injury analysis shall cover the years 2005-06, 2006-07, 2007-08 & POI. The data beyond POI may also be examined to determine likelihood of dumping and injury.

6. Procedure:

Having decided to review the final findings issued vide Notification No. 14/14/2003--DGAD dated 20th August 2004 and final duty imposed vide Customs Notification No.104/2004 dated 7th October 2004, the Authority hereby initiates investigations to review the need for continued imposition of duties in force and to examine whether cessation of Anti Dumping duty is likely to lead to continuation or recurrence of Dumping and injury on imports of subject goods originating in or exported from subject country/territory in accordance with the Customs Tariff (Amendment) Act, 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. The review covers all aspects of Notification No. 14/14/2003--DGAD dated 20th August 2004 (final findings of the original investigation).

7. Submission of Information:

The exporters in subject country/territory, the governments of subject country/territory through its representative office in India, the importers and users in India known to be concerned with the product 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 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.240, Udyog Bhavan,
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.

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 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. Submission of information on Non-confidential basis:

All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra. The non-confidential version or non-confidential summary of the confidential information should be in sufficient detail to provide a meaningful understanding of the information to the other interested parties. If in the opinion of the party providing such information, such information is not susceptible to summary; a statement of reasons thereof is required to be provided.

Notwithstanding anything contained in para above, 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 authorise its disclosure in a generalised or summary form, it may disregard such information.

10. Inspection of public file:

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.

11. Non-cooperation

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.

(R. Gopalan)
Designated Authority