

Ministry of Commerce & Industry
(Department of Commerce)
(DIRECTORATE GENERAL OF ANTI-DUMPING AND
ALLIED DUTIES)

New Delhi, the 6th April, 2005.

Initiation Notification (Sunset Review)

Subject: Initiation of Sunset Review regarding anti-dumping duty imposed on imports of Aniline from Japan and USA.

No. 15/2/2005-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 Aniline (hereinafter also referred to as subject goods) from Japan and USA (hereinafter also referred to as subject countries) falling under Sub-heading 2921.41 of Schedule I of Customs Tariff Act. The preliminary findings were published vide Notification dated 8.3.2000 and provisional duty was imposed on the subject goods vide Customs Notification No. 41/2000 dated 10th April, 2000. The Designated Authority issued final findings on 31.8.2000 vide Notification No. 33/1/99-DGAD and definitive anti dumping duty was imposed by Customs as per notification No.128/2000-Customs dated 6th October, 2000.

2. Initiation

The Customs Tariff (Amendment) Act 1995 and the rules made there under require the Authority to review the need for continuance of anti dumping duty and whether the cessation of the anti dumping duty is likely to lead to continuation or recurrence of dumping and injury. The producers representing the domestic industry viz. M/s Narmada Chematur Petrochemicals Limited (NCPL), Bharuch and M/s Hindustan Organic Chemicals Limited (HOCL), Mumbai have filed application substantiating the need for sunset review of the antidumping duty imposed on the subject goods originating in or exported from subject countries and have requested for continuation of the anti-dumping duty imposed on imports of Aniline originating in or exported from Japan and USA. The Designated Authority considers that the sunset review of the Anti-Dumping Duty recommended would be appropriate at this stage under the provision of Section 9A (5) of the Customs Tariff (Amendment) Act, 1995 as amended.

3. Product Under Consideration

The product under consideration is Aniline and is also known as Aniline Oil (hereinafter referred to as subject goods). It is covered under Customs Sub-heading No. 2921.41 of Schedule I of the Customs Tariff Act, 1975. The classification is, however, indicative only and is in no way binding on the scope of the present investigation.

4. Countries Involved:

The countries involved in the present sunset review investigation are Japan and USA.

5. Procedure

- i. Having decided to review the final findings notified vide No. 33/1/99-DGAD dated 31.8.2000 and final duty imposed by Notification No 128/2000-Customs dated 6th October, 2000, the Authority hereby initiates investigations to review 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 countries, 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.
- ii. The review covers all aspects of Notification No. 33/1/99-DGAD dated 31.8.2000.

6. Period of Investigation

The period of investigation for the purpose of the present Sunset Review is 1st October, 2003 to 30th September, 2004 (12 months). The injury analysis shall cover the three preceding financial years i.e. 2001-02, 2002-03 & 2003-04 in addition to the POI.

7. Submission of Information

The exporters in subject countries, their governments through their Embassies/ High Commissions 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:

The Designated Authority, Ministry of Commerce & Industry, Department of Commerce, Directorate General of Anti-Dumping & Allied Duties, (DGAD), Room No. 240, 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.

(Christy L. Fernandez)
Designated Authority