

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

Dated the 20th December 2005.

**Initiation Notification**  
**(Sunset Review)**

**Subject:** Initiation of Sunset Review regarding anti-dumping duty imposed on imports of Partially Oriented Yarn (POY) originating in or exported from Indonesia, Taiwan, Thailand and Malaysia.

**No. 15/9/2005-DGAD** - Whereas 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 (herein after referred to as AD Rules), vide Notification Number 19/1/2000-DGAD dated 4th January 2002, the Designated Authority (herein after referred to as the Authority) notified its final findings recommending definitive antidumping duty on import of Partially Oriented Yarn (hereinafter referred to as subject goods) originating in or exported from Indonesia, Taiwan, Thailand and Malaysia (hereinafter referred to as subject countries).

And whereas definitive antidumping duty was imposed on the subject goods vide Customs Notification No. 15/2002-Customs, dated 8.2.2002.

## **2. Product Under Consideration**

The product under consideration in the original investigation and current review is Partially Oriented Yarn generally known as POY. It falls under the custom tariff heading 5402.42 under the Indian Custom Tariff Classification. It is yarn of polyester and is an intermediate, which is subject to further processing, for example, texturing or draw twisting, to make it suitable for weaving or knitting into fabrics.

## **3. Initiation**

The Customs Tariff (Amendment) Act 1995 and the AD Rules made there under require the Authority to review from time to time the need for continuance of anti-

dumping duty. M/s. Association of Synthetic Fibre Industries, have filed an application substantiating the need for sunset review of the anti-dumping duty imposed on the subject goods originating in or exported from Indonesia, Taiwan, Thailand and Malaysia and have requested for continuation and enhancement of the anti-dumping duty imposed on subject goods under the above mentioned notifications for a further period of 5 years. 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 and the rules made thereunder.

#### **4. Countries Involved:**

The countries involved in the present reviews are Indonesia, Taiwan, Thailand and Malaysia.

#### **5. Procedure:**

Having satisfied itself on the basis of evidence submitted by domestic industry for review of the final findings notified vide No. 19/1/2000-DGAD dated 4.1.2002 and final duty imposed by Notification No. 15/2002-Customs, dated 8.2.2002, the Authority hereby initiates investigations to review whether cessation of antidumping duty is likely to lead to continuation or recurrence of dumping and injury on imports of Partially Oriented Yarn (POY) originating in or exported from Indonesia, Taiwan, Thailand and Malaysia, in accordance with the Customs Tariff (Amendment) Act, 1995 and AD Rules.

The review covers all aspects of Notification No. 19/1/2000 -DGAD dated 4.1.2002. M/s. Association of Synthetic Fibre Industries, have represented on behalf of the domestic industry in the original investigations also. The Authority proposes to consider the applicant, who constitutes the major proportion of the production of the subject goods in India, as domestic industry in accordance with the Rules supra.

#### **6. Period of Investigation:**

The period of investigation for the purpose of the present review is 1st April 2004 to 30th June 2005 (15 months). However, injury analysis shall cover the years 2001-02, 2002-03, 2003-04 and POI.

#### **7. Submission of Information:**

The exporters in subject countries, their government through their Embassies/High Commissions in India/representatives, 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 AD Rules.

## **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