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Government of India

Department of Commerce

Ministry of Commerce & Industry

(Directorate General of Anti-Dumping & Allied Duties)

Udyog Bhavan, New Delhi-110011

Dated the 17th October, 2013

NOTIFICATION

Initiation

Subject: Sunset Review (SSR) Anti-dumping Investigation concerning imports of Cable Ties, originating in or exported from China PR and Chinese Taipei

F. No.15/20/2013-DGAD - Having regard to the Customs Tariff Act, 1975 as amended in 1995 and thereafter (hereinafter referred as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter referred as the Rules), the Designated Authority (hereinafter referred to as the Authority) recommended imposition of anti-dumping duty on imports of "Cable Ties" (hereinafter referred as the subject goods), originating in or exported from China PR and Chinese Taipei (hereinafter referred to as the subject countries).

2. Whereas, the original investigation concerning imports of the subject goods from the subject countries was initiated by the Authority vide notification No. 14/10/2007-DGAD dated 1st January, 2008. The preliminary finding was issued by the Authority on 23rd September, 2008, recommending provisional antidumping duty on the imports of Cable Ties (hereinafter referred to as subject goods) originating in or exported from China PR and Chinese Taipei (hereinafter referred to as subject countries). The provisional duties were imposed vide Customs Notification No 118/2008 dated 31st October, 2008. The Authority notified

its final findings on 31st March 2009 recommending definitive antidumping duty on the imports of Cable Ties originating in or exported from subject countries. The definitive antidumping duty was imposed on the subject goods vide Customs Notification No. 44/2009 -Customs, dated 30th April, 2009.

3. And whereas in terms of the provisions for review investigations, the Authority received an application from M/s. Surelock Plastics Pvt. Ltd. Mumbai representing domestic industry which substantiated the need for midterm review of the anti dumping duty imposed on the subject goods originating in or exported from the subject countries and requested for enhancement/revision of the anti dumping duty imposed on subject goods.

4. Whereas, the Authority initiated a mid-term review (MTR) investigation in respect of the imports of the subject goods, originating in or exported from China PR and Chinese Taipei, vide notification No. 15/10/2011-DGAD dated 4th October, 2011 and the Authority vide Notification No. 15/10/2011-DGAD dated 3rd October, 2012 recommended modified anti-dumping duty imposed on the imports of the subject goods, originating in or exported from the subject countries. On the basis of the recommendations of the Authority, the Central Government vide Notification No. 56/2012 dated 14th December, 2012 imposed modified anti dumping duty on imports from both the subject countries.

5. Whereas, M/s. Surelock Plastics Pvt. Limited have now filed a duly substantiated application before the Authority, as a domestic industry of the subject goods in India, in accordance with the Act and the Rules, alleging likelihood of continuation or recurrence of dumping of the subject goods, originating in or exported from China PR and Chinese Taipei and consequent injury to the domestic industry and have requested for review, continuation and enhancement of the anti-dumping duties imposed on the imports of the subject goods, originating in or exported from the subject countries.

Domestic Industry

6. The application for the sunset review has been filed by M/s. Surelock Plastics Pvt. Limited, Mumbai as domestic industry of the subject goods in India. As per the information available, the applicant accounts for a major proportion in Indian production of the subject goods and therefore constitute the domestic industry within the meaning of the Rules.

Product under consideration and Like Article

7 The product under consideration, in the original investigations, mid-term review as well as the present sunset review investigation, is “Cable Ties”. The present investigation being a sunset review, the product under consideration remains the same as in the original and mid-term review investigation. The product under consideration in the present petition is Cable Ties. Cable Ties consists of sturdy nylon tape with an integrated gear rack and on one end a ratchet within a small open case. This is an economical and versatile method of Cable/Wire bunching systems. Cable Ties are known by several names e.g. non-releasable or releasable (reusable) tags, straps, zip ties, tie wrap, rat belt etc. and produced & sold in different sizes as per requirement of the customers. Cable Ties are a one piece moulded mechanism with no metal barbs or cumbersome wedges having fastening and self locking device. Once a non-releasable cable tie is pulled through, it prevents from being pulled back allowing tighter pulling only. Cable ties are generally single use devices. However reusable Cable Ties are also produced according to the demand of the customers.”

The product is classified under Chapter 39 of Customs Tarriff Act under subheading 3926.9010. The Customs classification is, however, indicative only and in no way binding on the scope of the present investigation

8 The petitioner has claimed that the goods produced by the domestic industry are like article to the imported product in terms of parameters such as physical & technical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification.

Initiation of Sunset Review

9 In view of the duly substantiated application filed and in accordance with Section 9A(5) of the Act, read with Rule 23 of the Anti-dumping Rules, the Authority initiates a sunset review investigation to review the need for continued imposition of anti dumping duties in force in respect of the subject goods, originating in or exported from the subject countries and to examine whether the expiry of such duty is likely to lead to continuation or recurrence of dumping and injury to the domestic industry.

Countries involved

10 The countries involved in this investigation are China PR and Chinese Taipei.

Period of Investigation

11 The Period of Investigation (POI) for the purpose of the present review is from 1st April, 2012 to 31st March, 2013 (12 months). However, injury analysis shall cover the periods April, 2009-March, 2010, April, 2010-March, 2011, April, 2011-March, 2012 and the POI.

Procedure

12 The present sunset review covers all aspects of the final findings of the original investigation published vide Notification No. 14/10/2007-DGAD dated 31st March, 2009 and the mid-term review investigation findings published vide Notification No. 15/10/2011 dated 3rd October, 2012.

13 The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19 and 20 of the Rules supra shall be mutatis mutandis applicable in this review.

Submission of Information

14 The known exporters in the subject countries, the Government of the subject countries through its embassy in India, the importers and users in India known to be concerned with the product 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:

The Designated Authority
Directorate General of Anti-Dumping and Allied Duties
Ministry of Commerce and Industry
Department of Commerce
Room No. 240, Udyog Bhavan, New Delhi-110011.

15 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.

Time Limit

16 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 Authority may record its findings on the basis of the facts available on record in accordance with the Anti-dumping Rules.

17 All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire responses and offer their comments to the domestic industry's application regarding the need to continue or otherwise the Anti-dumping measures within 40 days from the date of initiation of this investigation.

Submission of information on confidential basis

18 In case confidentiality is claimed on any part of the questionnaire response/ submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc.) and (b) other set marked as Non-Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page.

19 Information supplied without any confidential marking shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies of the confidential version and five (05) copies of the non-confidential version must be submitted by all the interested parties.

20 For information claimed as confidential; the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed and/or why summarization of such information is not possible.

21 The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out/ summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, parties submitting the confidential information may indicate that such information is not susceptible to summarization; a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.

22 The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. 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 authorize its disclosure in generalized or summary form, it may disregard such information.

23 Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. The Authority on being satisfied and accepting the need for confidentiality of the information provided; shall not disclose it to any party without specific authorization of the party providing such information.

Inspection of public file:

24 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.

Non-cooperation

25 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 declare such interested party as non-cooperative and record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

(J.S. Deepak)

Designated Authority