

**Ministry of Commerce & Industry**  
**(Department of Commerce)**

**INITIATION (SUNSET REVIEW) NOTIFICATION**

New Delhi, the 30th July, 2003

**Subject:** Initiation of Sunset Review regarding anti-dumping duty imposed on import of Styrene Butadiene Rubber (SBR) 1900 series originating in or exported from Japan, Korea RP and USA.

**F. No. 15/5/2003-DGAD** - The Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff (Amendment) Act, 1995 and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 recommended continuation of the definitive Anti-Dumping duty in force on imports of all grades of Styrene Butadiene Rubber (SBR) 1900 series originating in or exported from Japan, Korea RP, USA, Taiwan and Turkey classified under customs sub-heading 3903.90 and 4002.19 of the Customs Tariff Act, 1975 in the Final Findings of review investigations notified vide Gazette Notification No. 34/1/2000-DGAD dated 3rd July 2001.

**1. Product Involved:** The product under investigation is all grades of Styrene Butadiene Rubber (SBR) 1900 series classified under customs heading nos. 3903.90 and 4002.19 of the Customs Tariff Act, 1975 originating in or exported from Japan, Korea RP and USA. The original investigation concluded vide notification dated 2/6/99 recommended duty on SBR 1500, 1700 & 1900 series. However, scope of duty was restricted to SBR 1900 series vide mid term review notification dated 3rd July 2001.

The classification is however indicative only and in no way binding on the scope of the present sunset review investigations.

**2. Initiation:-** The Customs Tariff (Amendment) Act, 1995 and the Rules made thereunder require the Authority to review from time to time, the need for continuance of Anti-Dumping duty. The Authority vide notification No. 34/1/2000-DGAD dated 9th November 2000, initiated mid-term review (on the basis of request for review by the Automotive Tyre Manufacturers Association and M/s Rishirop Polymers Pvt. Ltd., Mumbai) of anti-dumping duty on imports of SBR of different grades in 1500, 1700 and 1900 series originating in or exported from Japan Korea RP, USA, Taiwan and Turkey as recommended by the Authority vide Final Findings Notification No.

30/1/97 -ADD dated 2/6/1999 and considered it appropriate to continue the anti-dumping duty on SBR 1900 series vide Final Findings (review) notification No. 34/1/2000-DGAD dated 3rd July 2001. The Designated Authority now considers that the sunset review of the anti-dumping duty recommended would be appropriate at this stage under the provisions of

Section 9(A) of the Customs Tariff Act, 1995. The domestic industry has filed a petition requesting for the continuance of the anti-dumping duty on SBR originating in or exported from Japan, Korea RP and USA for a further period of five years.

**3. Procedure:-** Having decided to review the final findings of the mid-term review investigations notified vide notification No. 34/1/2000-DGAD dated 3rd July 2001, the Designated Authority hereby initiates sunset review investigations to review the need for continued imposition of the anti-dumping duty on imports of SBR originating in or exported from Japan, Korea RP and USA 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.

4. The review covers all aspects of Final Findings (review) notification no. 34/1/2000-DGAD dated 3rd July 2001.

**5. Period of Investigation:** The period of investigation for the purpose of the present review is 1st April 2002 to 31st March 2003 (12 months).

6. M/s Apar Industries Ltd. Apar House, Corporate Park, Sion-Trombay Road, Chembur, Mumbai- 400 071 and M/s Apcotex Lattices were considered the Domestic Industry in the earlier notification. The Authority proposes to consider these companies as the domestic industry in accordance with the Rules supra.

**7. Submission of Information:** The exporters in the subject countries and the importers 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 Designated Authority,**  
Ministry of Commerce,  
Directorate General of Anti- Dumping and Allied Duties, 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 investigations should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days from the date of publication of this review notification. The known exporters and importers who are being addressed separately are however, required to submit the information within 40 days from the date of letter addressed to them separately. The Designated Authority, in no circumstances, will grant extension of time for response to interested parties. 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 Rule 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

**10. Initiation of Anti-Dumping Investigation:** In view of the foregoing paragraph, the Designated Authority initiates anti-dumping (sunset review) investigations to determine the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject countries.

11. In case where an interested party refuses access to, or otherwise does not provide necessary information within the stipulated 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.

**(L.V. SATHARISHI)**  
DESIGNATED AUTHORITY