

F.No.15/26/2006-DGAD
Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Anti Dumping & Allied Duties)
Udyog Bhawan, New Delhi

Dated the 29th December 2006

Initiation Notification (Sunset Review)

Subject: Initiation of Sunset Review regarding anti-dumping duty imposed on imports of Trimethoprim originating in or exported from China-PR.

No. 15/26/2006- 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 35/1/2001-DGAD dated 12th July 2002, the Designated Authority (herein after referred to as the Authority) notified its final findings recommending imposition of definitive anti dumping duty on import of Trimethoprim (hereinafter referred to as subject goods) originating in or exported from China PR (hereinafter referred to as subject country).

And whereas definitive antidumping duty was imposed on the subject goods vide Customs Notification No. 89/2002 - Customs dated 03.09.2002.

2. Product Under Consideration

The product under consideration is Trimethoprim which is an organic chemical. It is a bulk anti-bacterial pharmaceutical ingredient directly used in formulations. Formulation of TMP is commonly used in the combination of Sulphamethoxazole. There is no viable substitute for Trimethoprim.

Trimethoprim is a bacteriostatic [antibiotic](#) mainly used in the [prophylaxis](#) and treatment of [urinary tract infections](#). It belongs to the class of [chemotherapeutic](#) agents known as [dihydrofolate reductase](#) inhibitors. In clinical use it is often abbreviated TRI or TMP. The chemical formula of TMP is as under:

5-(3,4,5-Trimethoxy Benzyl) Pyrimidine-2,4-Diamine (C₁₁H₁₄N₄O₃).

It is classified under Chapter 29 of the Customs Tariff Act at subheading no. 29335920. The Customs and ITC classification is, however, indicative only and in no way binding on the scope of the present investigation.

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. Inventaa Chemicals Limited – Hyderabad and Punjab Chemicals and Crop Protection Limited – Lalru –Punjab have filed an application substantiating the need for review of the anti-dumping duty imposed on the subject goods originating in or exported from China PR and have requested for continuation and enhancement of the anti-dumping duty imposed on subject goods under the above mentioned notification 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 there under.

4. Countries Involved

The country involved in the present reviews is Peoples Republic of China.

5. Procedure

Having satisfied itself on the basis of evidence submitted by the petitioner for review of the final findings notified vide No. 35/1/2001-DGAD dated 12th July 2002 and final duty imposed by Notification No. 89/2002 - Customs dated 03.09.2002, the Authority hereby initiates investigations to review whether cessation of antidumping duty on imports of Trimethoprim originating in or exported from China PR is likely to lead to continuation or recurrence of dumping and injury to domestic industry in accordance with the Customs Tariff (Amendment) Act, 1995 and AD Rules.

The review covers all aspects of Notification No. 35/1/2001-DGAD dated 12th July 2002. M/s. Inventaa Chemicals Limited and Punjab Chemicals and Crop Protection Limited (formerly known as Alpha Drugs India Limited) had represented on behalf of the domestic industry in the original investigations also. The Authority proposes to consider these companies, who constitute a major proportion in 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 October 2005 to 30th September 2006 (12 months). However, injury analysis shall cover the years 2003-04, 2004-05, 2005-06 and POI.

7. Submission of Information

The known exporters in subject country, their government through their Embassy in India, 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