

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 14th August, 2002

INITIATION (SUNSET REVIEW) NOTIFICATION

Subject: Initiation of Sunset Review anti-dumping investigations concerning import of Vitamin-C originating in or exported from China PR and Japan.

No. 14/14/2002-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 thereof recommended imposition of definitive Anti Dumping duty on imports of Vitamin-C originating in or exported from China PR and Japan falling under Chapter 29 of the Customs Tariff Act vide Gazette Notification No. 11/1/97/ADD, dated 25.5 1998. The Government of India imposed definitive Anti Dumping Duty vide Notification No. 53/98 Customs dated 24.7.1998.

- 1. Product Involved:** The product under investigation in the present case is Vitamin 'C' originating in or exported from China PR and Japan. Vitamin 'C' is also known as Ascorbic Acid. The technical specifications of Vitamin 'C' are based on National and International standards such as PB93/USP23 and type 'A' coated. Vitamin 'C' is an organic chemical and is classified under custom heading 2936.27 of Customs Tariff Act 1975. The classification is however, indicative only and in no way binding on the scope of the present investigation.
- 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 issued public notice vide Notification No. 11/1/99 dated 9.7.1999 for initiation of mid-term review for the continuance of Anti Dumping Duty imposed on Vitamin-C originating in or exported from China PR and Japan and considered appropriate to continue the imposition of Anti Dumping Duty vide Notification dated 13.6.2000. The Designated Authority now 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 Customs Tariff (Amendment) Act, 1995. M/s. Sarabhai M. Chemicals, has now submitted an application for continuance of Anti Dumping Duty on Vitamin C originating in or exported from China PR and Japan for a further period of 5 years.
- 3. Procedure:** Having decided to review the final findings notified vide No. 11/1/97ADD, dated 25.5.1998, the Authority hereby initiates investigations to review (sunset review) the need for continued imposition of Anti Dumping

Duty on imports of Vitamin-C originating in or exported from China PR and Japan 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.

4. The review covers the Notification No.11/1/97/ADD dated 25.5.1998 and subsequent review Notification No.11/1/99-DGAD dated 13.6. 2000. M/s Sarabhai M Chemicals manufacturer of Vitamin C represented the domestic industry in the final findings dated 25.5.1998 & 13.6.2000. The Authority proposes to consider the petitioner who constitute the major proportion of the producers in India to represent the domestic industry in accordance with the Rules supra.
5. **Country(ies) Involved:** The countries involved in the present investigations are China PR and Japan (referred to as subject countries hereinafter).
6. **Period of Investigation:** The period of investigation for the purpose of the present investigations is 1st April, 2001- 31st March,2002 (12 months).
7. **Submission of Information:** The exporters in the subject countries, the importers, and users in India, known to be concerned, 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 & Industry, Department 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 review 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 notification. The known exporters and importers, who are being addressed separately, are, however, required to submit the information within forty days from the date of letter addressed to them separately. 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 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. 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.

L. V. SATHARISHI,
DESIGNATED AUTHORITY